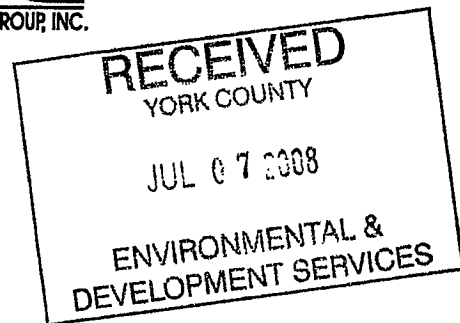


2008



July 2, 2008

York County Wetlands Board  
Attn: Anna Drake  
105 Service Drive  
Yorktown, Virginia 23690



RE: Oakmoore Subdivision, Poquoson, Virginia  
ESG Project Number: 7604

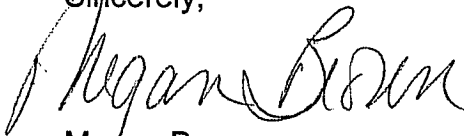
Dear Ms. Drake:

Attached you will find the revised permit application for the proposed residential development of the Oakmoore Subdivision in Poquoson, Virginia.

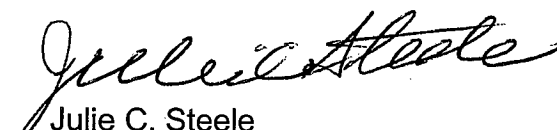
In an effort to assist you in the processing of this application, copies of the application packet have been sent to the U.S. Army Corps of Engineers, Virginia Marine Resources Commission, Poquoson Wetlands Board and the Tidewater Office of the Virginia Department of Environmental Quality for review by each Agency.

We look forward to the expeditious processing of this permit application. If you have any questions, please do not hesitate to call us (757) 599-7501. Thank you.

Sincerely,

  
Megan Brown  
Environmental Scientist

Approved,

  
Julie C. Steele  
President

7604-g-rec-e95

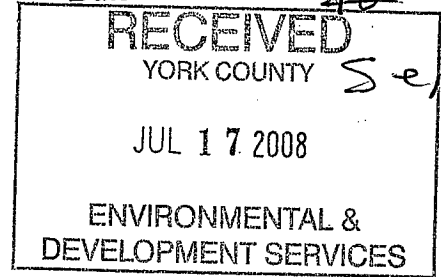
July 15, 2008

08-42

Date

**MEMORANDUM**

**TO:** York County Wetlands Board  
**FROM:** Virginia Marine Resources Commission, Habitat Management  
**SUBJECT:** VMRC #08-1276     Abbitt Management, Inc.



Original Rec'd 7/7/08

Attached may involve wetlands. The Environmental Engineer responsible for your area has not yet seen this application and no determination has been made regarding its completeness. Please advise us of your determination in this matter and when a public hearing is scheduled if, in your judgment, wetlands are involved. You may also want to forward a copy of your response to the U.S. Army Corps of Engineers, Norfolk District, to advise them of your findings concerning this project.

*Beth Howell*

Division Office Manager

/blh

Attachment

Date

**MEMORANDUM**

**TO:** Virginia Marine Resources Commission, Habitat Management Division  
**FROM:** Wetlands Board Staff

Review of the above-referenced application indicates this project:

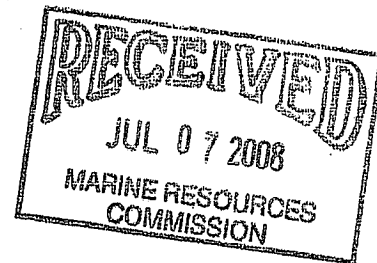
- ☐ Does not involve wetlands. A letter will be forwarded to the applicant advising that no permit will be required from this Board.
- ☐ Does involve wetlands and a permit will be required. A public hearing has been tentatively scheduled for \_\_\_\_\_ at \_\_\_\_\_.
- ☐ Does involve wetlands but a permit will not be required because \_\_\_\_\_.
- ☐ Site inspection conducted on \_\_\_\_\_.
- ☐ No site inspection conducted.

Wetlands Board Staff Contact



July 2, 2008

Virginia Marine Resources Commission  
Attn: Ben McGinnis  
2600 Washington Ave.  
Third Floor  
Newport News, Virginia 23607



RE: Oakmoore Subdivision, Poquoson, Virginia  
ESG Project Number: 7604

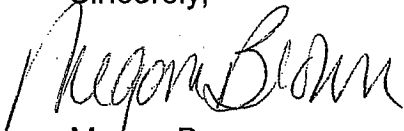
Dear Mr. McGinnis:

Attached you will find the revised permit application for the proposed residential development of the Oakmoore Subdivision in Poquoson, Virginia.

In an effort to assist you in the processing of this application, copies of the application packet have been sent to the U.S. Army Corps of Engineers, Poquoson and York County Wetlands Boards, and the Tidewater Office of the Virginia Department of Environmental Quality for review by each Agency.

We look forward to the expeditious processing of this permit application. If you have any questions, please do not hesitate to call us (757) 599-7501. Thank you.

Sincerely,

  
Megan Brown  
Environmental Scientist

Approved,

  
Julie C. Steele  
President

7604-g-rec-e95

**JOINT PERMIT APPLICATION  
REVISED**

**OAKMOORE SUBDIVISION**

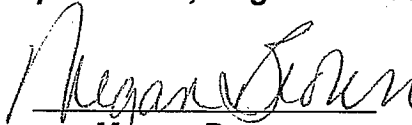
**POQUOSON, VIRGINIA**

***Prepared for:***

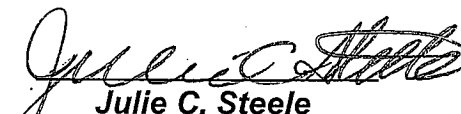
**Charles Wornom  
Abbutt Management  
734 Thimble Shoals Boulevard  
Newport News, Virginia 23606**

***Prepared by:***

**Environmental Specialties Group, Inc.  
11836 Fishing Point Drive, Suite 100  
Newport News, Virginia 23606**

  
**Megan Brown  
Environmental Scientist**

***Approved by:***

  
**Julie C. Steele  
President**

**July 2008**

**ESG Project Number: 7604**

<b>1</b>	<b>Project Description/ Purpose and Need</b>
<b>2</b>	<b>Vicinity Map, Site Map, FEMA Floodplain Map</b>
<b>3</b>	<b>Basic Joint Permit Application</b>
<b>4</b>	<b>Joint Permit Application Appendices and Drawings</b>
<b>5</b>	<b>Avoidance and Minimization</b>
<b>6</b>	<b>Threatened and Endangered Species, Historical Resources</b>
<b>7</b>	<b>Functional Values Assessment</b>
<b>8</b>	<b>Mitigation</b>
<b>9</b>	<b>Wetland Delineation</b>
<b>10</b>	<b>Adjacent Property Owner Notification</b>

## **Project Description/Purpose and Need**

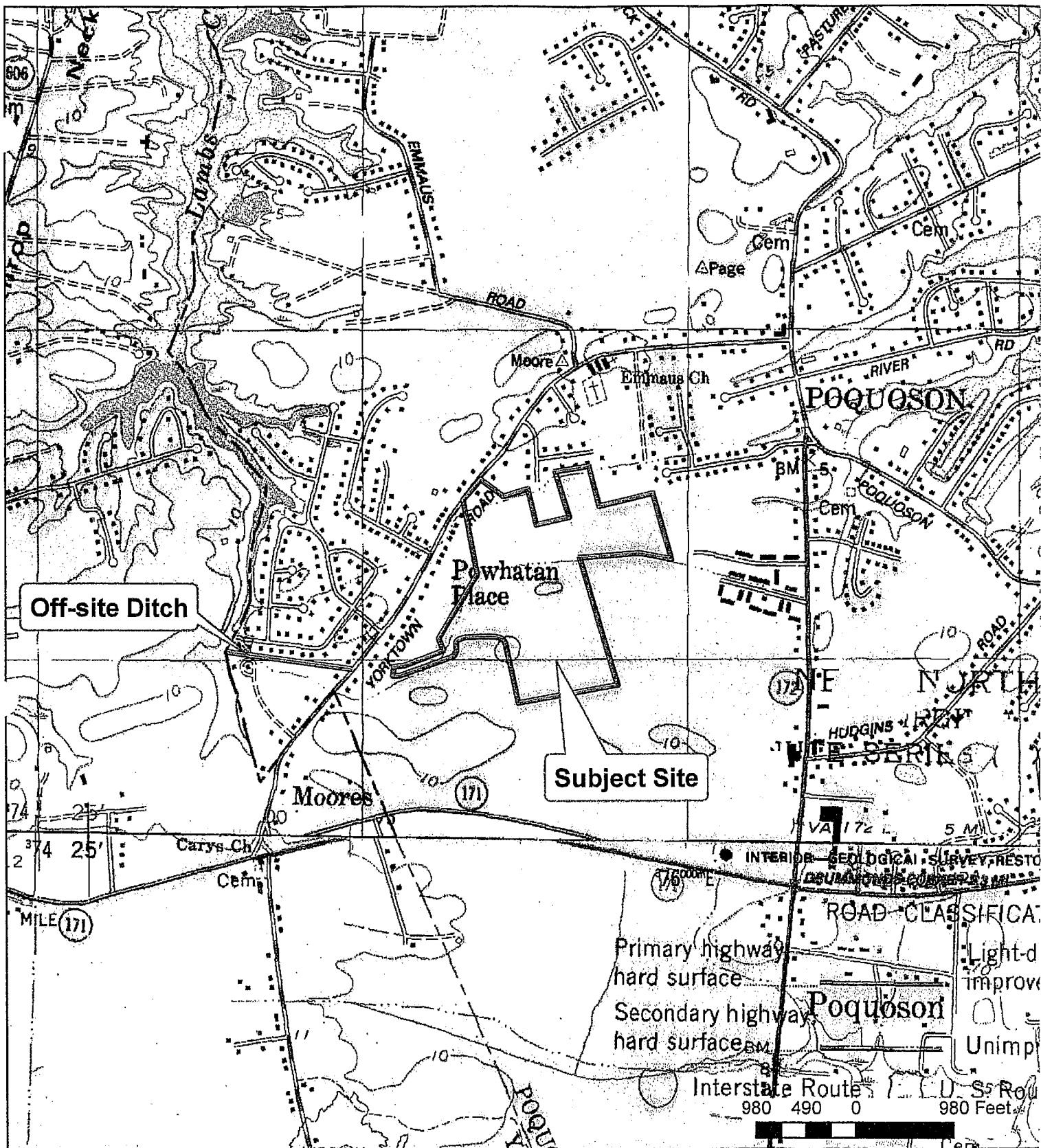
The Oakmoore project proposes the construction of a residential subdivision in Poquoson, Virginia. The project site is approximately 65.25 acres in size at the southern end of Oakmoore Drive, just east of Yorktown Road (VA-782). The property contains 15.2 acres of wetlands and a confirmation letter was received on the property dated March 22, 2007. In addition, there is an off-site drainage ditch that will be improved in order to handle the increase in stormwater.

A confirmation was also received on the Westover Shores Ditch on November 20, 2007, confirming limits of tidal waters. A more detailed description of the confirmation process can be found in the wetland delineation section of the Joint Permit Application.

This project proposes the development of multiple single family residences with accompanying roads, a stormwater management (SWM) pond, and utilities. The proposed impacts to the site are from limited fill for lots and excavation for a portion of the SWM pond, excavation for several ditches/paved swales, utilities which will later be returned to grade, and improvement of an off-site tidal ditch. Impacts total approximately 1.36 acres, of which 0.31 acres for fill are located in an isolated wetland, 0.88 acres for fill and excavation in jurisdictional non-tidal wetland areas, and 0.17 acres of fill and excavation of a tidal ditch. There is relatively little to no drainage as the area is at a fairly constant elevation. It is the opinion of ESG that this Joint Permit Application qualifies for an Individual Permit due to the inclusion of impacts to tidal waters.

Avoidance and minimization efforts concerning wetland impacts concentrated on keeping the majority of the lots and roads away from the main, centralized area of wetlands. Those areas that are impacted occur either in the 0.31 acre isolated wetland or along the northern-most boundary and the western-most tip of the 12.37 acre wetland area. In addition, where one of the proposed roads impacts the wetland, it is to be perpendicular to the wetlands in order to minimize that area of impact. For further discussion of avoidance measures, please refer to the Avoidance and Minimization section within this Joint Permit Application.

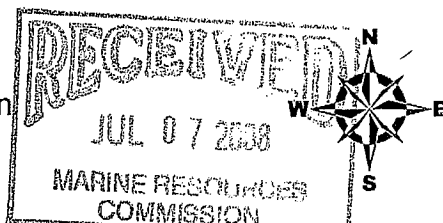
Also it should be noted that as part of this project, there will be the installation of water and sewer lines that will be returned to grade.



### Vicinity Map

Source: USGS Topographic Map  
Poquoson West Quad 37076-B4

Oakmoore Subdivision  
Poquoson, Virginia





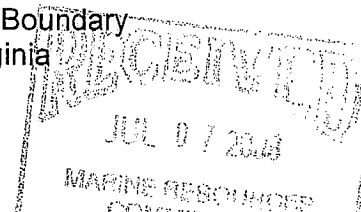
# Oakmoore Site Map


Aerial Photo Source:  
1994 Color Infrared DOQQ

Proposed Oakmoore Subdivision Boundary  
Poquoson/York County, Virginia

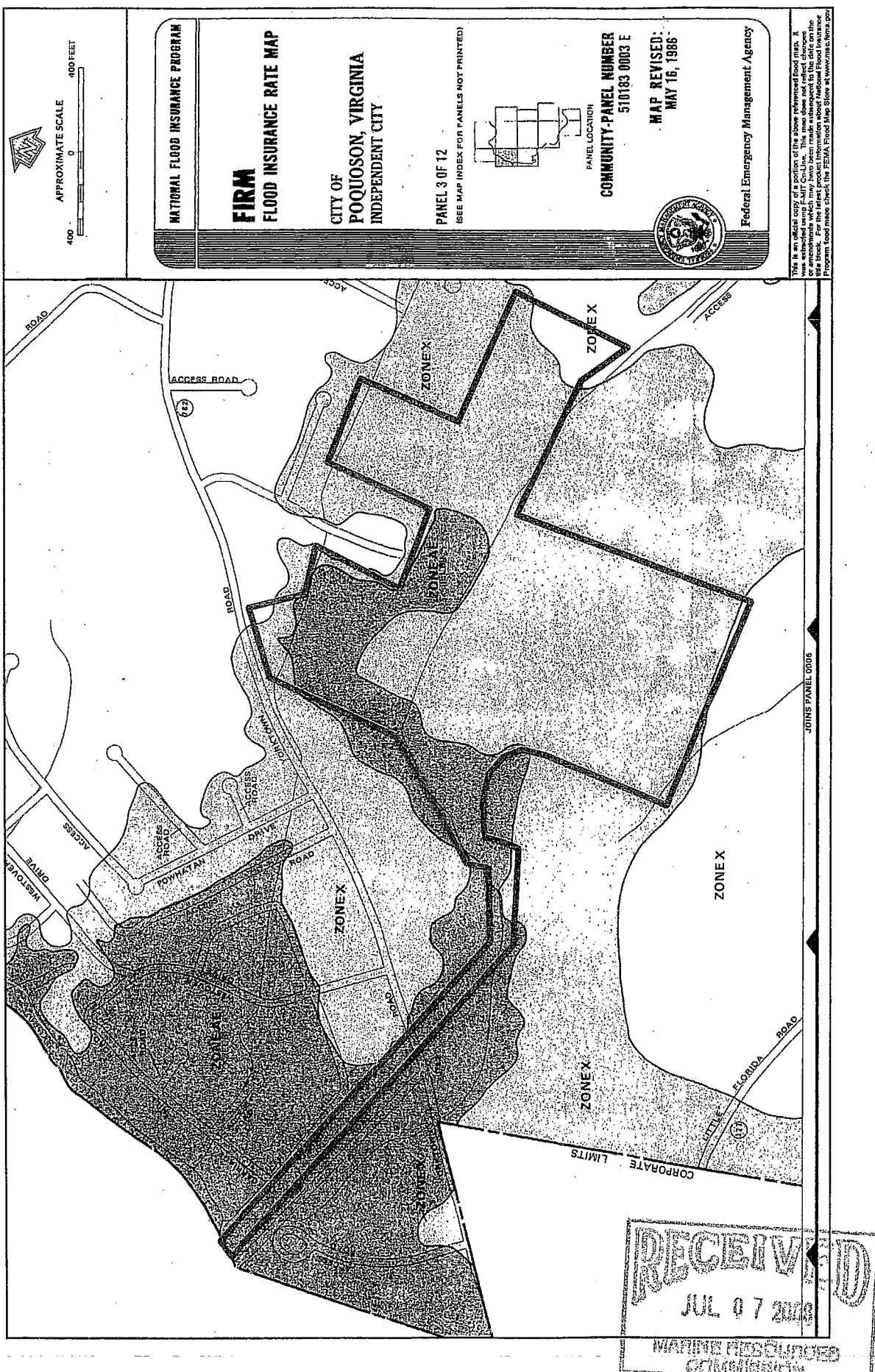


Site Boundary



7604-g1-rec-e95	02/19/2008	 ENVIRONMENTAL SPECIALTIES GROUP, INC.	DRAWN: MB	APPROVED: JS
11836 Fishing Point Drive, Suite 100 • Newport News, VA 23606-4507 • (757) 599-7501 • Fax (757) 599-7509 • admin@EnvSpGroup.com				





Oakmoore Subdivision FEMA Map  
Oakmoore Drive, Poquoson, Virginia

7604-g2-rec-e95	02/19/2008	ENVIRONMENTAL SPECIALTIES GROUP, INC.	DRAWN: MB	APPROVED: JS
11836 Fishing Point Drive, Suite 100 • Newport News, VA 23606-4507 • (757) 599-7501 • Fax (757) 599-7509 • admin@EnvSpGroup.com				

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. *If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.*

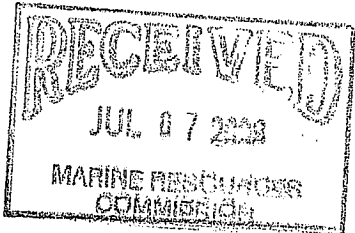
If using JPA as Pre-Construction Notification (PCN), check here: \_\_\_\_\_

If using JPA as a DEQ Registration Statement, check here: \_\_\_\_\_

**1. PROJECT LOCATION INFORMATION** (Attach a copy of a map, such as a USGS topographic map or ADC map showing the site location. Include an arrow indicating the North Direction.)

Address Oakmoore Drive	City/County Poquoson
Subdivision Oakmoore	Lot/Block/Parcel #
Name of waterbody(ies) within project boundaries	Tributary(ies) to Lambs Creek to Poquoson River
Project type (check one) <input type="checkbox"/> Single user (private, non-commercial, residential) <input checked="" type="checkbox"/> Multi-user (community, commercial, industrial, government)	
Latitude and longitude at center of project site: <u>37</u> - <u>7</u> - <u>56</u> / <u>76</u> - <u>24</u> - <u>00</u>	
For projects impacting nontidal wetlands/waters only: 8- digit USGS Hydrologic Unit Code (HUC) for your project site (See <a href="http://www.epa.gov/surf/">www.epa.gov/surf/</a> ): <u>0208108</u>	
Name of your project (Example: Piddly Creek driveway crossing) <u>Oakmoore Subdivision 4</u>	
Is there an access road to the project? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no. If yes, check all that apply: <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input checked="" type="checkbox"/> improved <input type="checkbox"/> unimproved	
How can your site be identified if there is no visible address? Located at the southern end of Oakmoore Drive, east of Yorktown Road.	
Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections: Take the Victory Boulevard East Exit 256B, towards Poquoson Merge onto Victory Boulevard/VA-171 E, 4 miles Turn left onto VA-782/E Yorktown Road, 0.9 miles Turn right onto Oakmoore Drive, proceed to the end of the street	
Does your project site cross boundaries of two or more localities (i.e. cities/counties/towns)? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If so, name those localities:	

**FOR AGENCY USE ONLY**

	Notes:
JPA# <u>08-1276</u>	

**2. APPLICANT(S), AGENT, PROPERTY OWNER(S), AND CONTRACTOR INFORMATION**

The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity.  
The agent is the person or company that is representing the applicant(s).

Applicant(s) Mr. Charles Wornom, Abbitt Management Inc.			Agent (if applicable) Environmental Specialties Group, Inc.		
Mailing address 734 Thimble Shoals Boulevard			Mailing address 11836 Fishing Point Drive, Suite 100		
City Newport News	State Va	Zip Code 23606	City Newport News	State VA	Zip Code 23606
Phone number w/area code 757-599-3335	Fax 757-873-3299		Phone number w/area code 757-599-7501	Fax 757-599-7509	
Mobile/pager	E-mail cwornom@abbitt.com		Mobile/pager	E-mail admin@envspgroup.com	
Property owner(s) (if different from applicant)			Contractor (if known)		
Mailing address			Mailing address		
City	State	Zip code	City	State	Zip code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile/pager	E-mail		Mobile/pager	E-mail	

**3. DESCRIPTION OF PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, INTENDED USE, AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)**

- The purpose must include any new development or expansion of an existing land use and/or proposed future use of residual land
- Describe the physical alteration of surface waters
- Include a description of alternatives considered to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered

The purpose of this project is the construction of a residential subdivision in Poquoson, VA. The project site is approximately 65.25 acres in size and is located at the southern end of Oakmoore Dr., just east of Yorktown Rd. (VA-782). This project proposes the development of multiple single family residences with accompanying roads, a Stormwater Management (SWM) pond, and utilities. The project also proposes to upgrade an existing man-made tidal ditch.

Approximately 1.36 acres of wetlands will be impacted from either limited fill for housing lots or excavation for the SWM and ditches/paved swales that run throughout the property. Of the total wetland impacts, 0.31 acres occurs in an isolated PFO wetland, 0.88 acres in PFO wetlands, and 0.17 acres in tidal waters.

Avoidance and minimization efforts concerning wetland impacts concentrated on keeping the majority of the lots and roads away from the main, centralized area of the wetlands. There is only one road impact and it was designed so that it will be perpendicular to the wetland in order to minimize its impact.

Also it should be noted that as a part of the project, there will be the installation of water and sewer lines, which will be returned to grade.

**3. DESCRIPTION OF PROJECT (Continued)**Date of proposed commencement of work (M/D/Y)  
2008 \_\_\_\_\_Date of proposed completion of work (M/D/Y)  
2018 \_\_\_\_\_Are you submitting this application at the direction of any State,  
local, or Federal agency? \_\_\_\_yes XnoHas any work commenced or has any portion of the project for  
which you are seeking a permit been completed?  
\_\_\_\_yes Xno

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? \_\_\_\_yes Xno  
(If yes, please explain)

**4. LIST ALL PREVIOUS SITE VISITS AND/OR PERMITS RELATED TO THE PROPOSED WORK (Include all Federal, State, and Local pre-application coordination or previous permits)**

Agency	Activity	Permit/Project number	Action taken **	If denied, give reason for denial
ACOE	Wetland Delineation	01-R2058/06-5355	Confirmed	
ACOE	Wetland Delineation	2007-3947	Confirmed	

\*\* Issued, denied, site visit

**5. PROJECT COSTS**Approximate cost of the entire project, including materials and labor: \$ 7 millionApproximate cost of only the portion of the project affecting State waters (below mean low water in tidal areas and below ordinary water level in nontidal areas): \$ N/A

**6. PUBLIC NOTIFICATION** (Attach additional sheets if necessary)

- Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Property owner's name	Mailing address	City	State	Zip code
See Attached APO Forms				

Name of newspaper having general circulation in the area of the project: The Daily PressAddress of newspaper: 7505 Warwick Boulevard, Newport News, VA 23607Phone number of newspaper (including area code) 757-247-6400Have adjacent property owners been notified with forms in Appendix B? ☒ yes ☐ no (attach copies of distributed forms)**7. THREATENED AND ENDANGERED SPECIES INFORMATION:**

If not already attached to this JPA as part of your Corps' waters and wetlands delineation confirmation, please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts. Contact information for the Virginia Department of Game and Inland Fisheries and the Virginia Department of Conservation and Recreation, Division of Natural Heritage can be found on page 5 of this package.

Threatened and Endangered Species Letters were sent to the Virginia Department of Game and Inland Fisheries, the Virginia Department of Conservation and Recreation's Division of Natural Heritage, and the U.S. Fish and Wildlife Service on April 13, 2006. On May 15, 2006, the U.S. Fish and Wildlife Service (USFWS) reported that the proposed action will not adversely affect federally listed species or federally designated critical habitat because no federally listed species are known to occur in the project area. On May 17, 2006, the Virginia Department of Conservation and Recreation's Division (VDCR) of Natural Heritage had no documented natural heritage resources, State Natural Area Preserves, or state-listed threatened and endangered plant and insect species in the area. On November 13, 2006, the Virginia Department of Game and Inland Fisheries (VDGIF) reported the presence of the Kemp's Ridley and Loggerhead sea turtle within 1.5 miles of the project. Upon further coordination, it was determined by VDGIF that there would be no adverse impact to these species due to the location and scope of the project. Please see the JPA section for Threatened and Endangered Species for more detailed information.

Also, a Historical Resources coordination letter was sent to the Virginia Department of Historic Resources (VDHR) on April 13, 2006. Based on the map received from VDHR, there are not any archaeological or architectural resources on the project site.

Threatened and Endangered Species Letters and Historical Resources coordination were re-submitted in April 1, 2008. As of MA 27, 2008 USFWS, VDGIF, VDCR and VDHR have responded with reports of no findings as in the original coordination letters. Please see the Threatened and Endangered Species and Historical Resources section for more information.

## 8. WETLANDS/WATERS IMPACT INFORMATION

Report each impact on a separate line, even if more than one impact occurs at the same Impact Site Number. If needed, attach additional sheets using an exact or similar format as the table below.

Impact site number (1, 2, etc.)	Wetland/water impact description*	Wetland impact area (acres )	Cowardin classification of impacted wetland/water (PEM, PSS, PFO, etc.)	Stream/Waters dimensions at impact site (length and width in feet)
Example #1	NT-PE-V	N/A	PFO	N/A
Example #2	NT-TE-PR-V	N/A	N/A	200' x 30'
Example #3	EX-T-PE-SB-NV	N/A	N/A	250' x 100'
See attached				

\* use all that apply: F=fill, EX=excavation, T=tidal, NT=non-tidal, TE=temporary, PE=permanent, PR=perennial, IN=intermittent, SB=subaqueous bottom, IS=hydrologically isolated, V=vegetated, NV=non-vegetated, MC=Mechanized Clearing of FPO

DEQ Classification of impacted resource(s) (mark the boxes next to those that apply):

<input checked="" type="checkbox"/> Non-tidal waters Class III	<input type="checkbox"/> Mountainous zone waters Class IV	<input type="checkbox"/> Stockable trout waters Class V	<input type="checkbox"/> Natural trout waters Class VI	<input checked="" type="checkbox"/> Wetlands Class VII	<input type="checkbox"/> Estuarine Class II
---	--	--	---	---	--

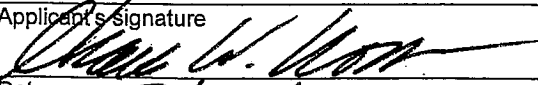
## 9. APPLICANT, AGENT, AND CONTRACTOR CERTIFICATIONS

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

**PRIVACY ACT STATEMENT:** The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

I hereby apply for all necessary permits for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions.

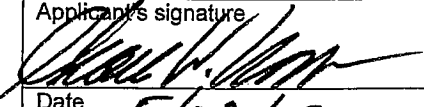
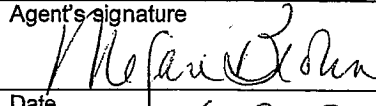
In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Applicant's name (printed or typed) Charles Wornom, Abbit Management, Inc.	Second applicant's name (printed or typed)
Applicant's signature 	Second applicant's signature
Date 5/23/07	Date

# 9. CERTIFICATIONS (continued)

## CERTIFICATION OF AUTHORIZATION TO ALLOW AGENTS TO ACT ON APPLICANT'S BEHALF (IF APPLICABLE)

I, Charles Wornom; Abbitt Management Inc., hereby certify that I have authorized Environmental Specialties Group, Inc.  
 (APPLICANT'S NAME) (AGENT'S NAME)  
 to act on my behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Applicant's signature 	Second applicant's signature	Agent's signature 
Date <u>5/23/07</u>	Date	Date <u>5.23.07</u>

## CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)

I, \_\_\_\_\_, have contracted \_\_\_\_\_  
 (APPLICANT'S NAME) (CONTRACTOR'S NAME)  
 to perform the work described in this Joint Permit Application, signed and dated \_\_\_\_\_.

We will read and abide by all conditions as set forth in all Federal, State, and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, State, and Local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes.

In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.

Contractor's name or name of firm (printed/typed)		Contractor's or firm's mailing address	
Contractor's license number	Contractor's signature and title		Date
Applicant's signature		Second applicant's signature	
Date		Date	



END OF GENERAL INFORMATION

The following sections are activity-specific. Fill out only the sections that apply to your particular project.

## APPENDIX D

### Chesapeake Bay Preservation Act Information

Please answer the following questions to determine if your project is subject to the requirements of the Bay Act Regulations:

1. Is your project located within Tidewater Virginia? ☒ yes ☐ no (See map on next page)  
- If the answer is "no", the Bay Act requirements do not apply; if "yes", then please continue to question #2.
2. Please indicate if the project proposes to impact any of the following Resource Protection Area (RPA) features:  
☒ tidal wetlands,  
☐ nontidal wetlands connected and contiguous to tidal wetlands or water bodies with perennial flow,  
☐ tidal shoreline,  
☒ water body with perennial flow (stream, river, creek, etc.)  
☒ 100-foot buffer area landward of any of the above features.  
☐ "other lands" as designated by the locality (contact the local government for specific information)

If the answer to question #1 was "yes" and any of the features listed under question #2 will be impacted, compliance with the Chesapeake Bay Act and Regulations is required. To achieve compliance with the Bay Act, the applicant must submit a Water Quality Impact Assessment (WQIA) for the review and approval of the local government.

The individual localities, not the Local Wetlands Boards, are responsible for enforcing Bay Act requirements and, therefore, local permits for land disturbance are not issued through this JPA process. **Approval of this wetlands permit does not constitute compliance with the Bay Act Regulations nor does it guarantee that the local government will issue land-disturbing permits for this project.** The requirements of the Bay Act may affect the ultimate design and construction of projects. In order to ensure that these requirements are considered early in the permitting process, and to avoid unnecessary and costly delays, applicants should contact their local government as early in the process as possible. Individual localities may request information regarding existing vegetation within the RPA as well as a description and site drawings of any proposed land disturbance, construction, or vegetation clearing. Locality staff charged with ensuring compliance with the Bay Act will then evaluate project proposals and advise their Local Wetlands Boards or other appropriate parties of applicable Bay Act issues.

#### Notes for all projects in RPAs

1. Development, construction, land disturbance, or placement of fill within RPA features requires a review from the locality and may require an exception or variance from the local Bay Act program or zoning ordinance. Please contact the appropriate local government to determine the types of development or land uses that are permitted within RPAs.
2. Pursuant to § 9VAC 10-20-105, on-site delineation of the RPA is required for all projects in CBPAs. Because USGS maps are not always indicative of actual "in-field" conditions, they may not be used to determine the site-specific boundaries of the RPA.

#### Notes for shoreline erosion control projects in RPAs

Re-establishment of woody vegetation in the buffer may be required to mitigate for the removal or disturbance of buffer vegetation associated with your proposed project. Please contact the local government to determine the mitigation requirements for impacts to the 100-foot RPA buffer.

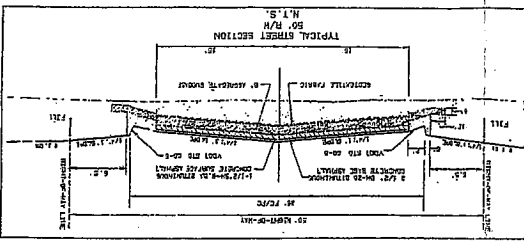
Pursuant to § 9VAC 10-20-130.5.a(4), § 9VAC 10-20-130.1, and § 9VAC 10-20-120 of the Virginia Administrative Code, the locality will use the information provided in this Appendix and in the project drawings, along with other information in this permit application, to make a determination that:

1. Any proposed shoreline erosion control measures are necessary and consistent with the nature of the erosion occurring on the site, and the measures have employed the "best available technical advice"
2. Indigenous vegetation will be preserved to the maximum extent practicable
3. Proposed land disturbance has been minimized
4. Appropriate mitigation plantings will provide the required water quality functions of the buffer (§ 9VAC 10-20-130.3)
5. The project is consistent with the locality's comprehensive plan
6. Access to the project will be provided with the minimum disturbance necessary.



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MATCHED AREAS SHOWN THUS  
INDICATE PROPOSED HOMEOWNER'S  
ASSOCIATION PROPERTY RESERVED.  
OPEN SPACE.  
INDICATE A.C.O.E. CONFIRMED  
EXISTING WETLANDS  
MATCHED AREAS SHOWN THUS  
INDICATE WETLANDS TO BE FILLED



OVERALL PLAN SHOWING  
WETLANDS TO BE FILLED  
OAKMOORE  
SECTION 4  
CITY OF POQUOSON,  
VIRGINIA

DATE: MARCH 18, 2008

REVISIONS:

PHRA  
Patton Harris Rust & Associates  
Engineers, Surveyors, Planners, Landscape Architects  
701 Mathews Row Suite 202  
1707 599,1080  
Newport News, VA 23606  
F 757 599,1020

SCALE: 1" = 100'  
FILE: 00000000  
FIELD BOOK:  
1 OF 1

7604-b-rec-a95

Oakmoore Subdivision Impact Table

Impact Number	Impact Location	Type of Impact	Wetland/Water Impact Description	Cowardin Classification	Impact Areas (acres)	Impact Area (ft <sup>2</sup> )	Impact Area (cy)
# A	Transect A	Road/Lot Fill	F, NT, PE, V, MC	PFO	0.17	7570	
		Return to Grade Utility Line	F, EX, NT, TE, V, MC	PFO	0.04	1712	
# B	Transect B	SWM pond Fill	F, NT, PE, V, MC	PFO	0.08	3400	
		SWM pond Excavation	EX, NT, PE, V, MC	PFO	0.34	14630	9000
# C	Transect C	Lot Fill	F, NT, PE, V, MC	PFO	0.31	13330	
# D	Transect D	Lot/Play Lot Fill	F, NT, PE, V, MC	PFO	0.12	5440	
# E	Transect E	Road Fill	F, NT, PE, V, MC	PFO	0.01	380	
		Road Excavation	EX, NT, PE, V, MC	PFO		200	13
		Return to Grade Utility Line	F, EX, NT, TE, V, MC	PFO	0.05	2080	
# F		NO IMPACT					
# G	Transect G	Ditch Fill and Fill around Ditch	F, NT, PE, V, MC	PFO	0.15	6500	
		Ditch Excavation	EX, NT, PE, V, MC	PFO	0.06	2760	157
# H	Transect H	Play Lot Fill	F, NT, PE, V, MC	PFO	0.01	570	
# I / # J	Transect I / J	Rip/Rap/Concrete lined Ditch	F, T, PE, NV, MC	Tidal Waters	0.17	7200	
			EX, T, PE, NV, MC	Tidal Waters	0.17	7200	720

Non-Tidal Fill IMPACT TOTALS

0.85

37190

Non-Tidal Excavation IMPACT TOTALS

0.34

17390

Non-Vegetated Tidal IMPACT TOTALS

0.17

7200

TOTAL IMPACTED ACREAGE

1.36

61780

## **JPA Appendix**

### **Road Construction Sequence for Impact Area A:**

1. Clear and install construction entrance and implement demolition plan.
2. Install combination orange tree protection/silt fencing.
3. Clear and grub within limits of impact.
4. Rough grade streets and stockpile topsoil on uplands (protect from erosion) and stockpile excavation from street on uplands (protect from erosion).
5. Install sanitary sewer and water pipeline system.
6. Install curb and gutter.
7. After building construction is 75% complete, place surface street pavement.

A culvert will be placed underneath the road in order to allow hydrologic connectivity to be maintained.

In addition there will be a storm sewer line that will be installed and returned to grade that is shown in cross-section A-A.

## Impact A

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
------------------------------------	---

Area of fill in vegetated wetlands: \_\_\_\_\_ square feet (tidal) 7570 square feet (nontidal)

Source and composition of material (percentage sand, silt, clay, rock): Tomotley fine sandy loam

Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):

The purpose of this activity is for the filling of housing lots and subdivision road.

If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): Lambs Creek

What is the distance of the given waterbody from the proposed activity? 0.5 miles

Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs
--	---

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)	OUTFALL(S)
Type and size of pipe(s):	Type and size of pipe(s):
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps	Daily rate of discharge: _____ mgd
Screen mesh size: _____ inches _____ mm _____ other (please specify)	

If the discharge will be thermally-enhanced, provide the maximum temperature: \_\_\_\_\_

Contributing drainage area: _____ square miles	Average stream flow at site: _____ cfs
--	--

On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.

Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

## Impact A

### 23. ROAD CROSSINGS

On separate sheets of paper, describe the materials to be used, the method of construction (including the use of cofferdams), and the sequence of construction events.

Drainage area above site: 0.20 square miles

Average stream flow at site: n/a cfs

Have you conducted hydraulic studies to verify the adequacy of the culverts? ☒ yes ☐ no  
If so, please attach a copy of the hydraulic study/report.

*Virginia Department of Transportation (VDOT) standards require that the backwater for a 100 year storm not exceed 1 foot for all road, culvert, and bridge projects within FEMA-designated floodplains.*

Will the culverts be countersunk six inches below the pre-construction stream invert elevation? ☒ yes ☐ no

If the project entails a bridged crossing and there are similar crossings in the area, what is the vertical distance above mean high water, mean low water, or ordinary high water of those similar structures? \_\_\_\_\_ feet above \_\_\_\_\_  
*For all bridges proposed over navigable waterways (including all tidal waterbodies), you will be required to contact the U.S. Coast Guard to determine if a permit is required of their agency.*

### 24. PRIVATE AND COMMERCIAL AQUACULTURE ACTIVITIES

Briefly describe your proposed aquaculture activity from the time of acquisition (seed, fingerlings, etc.) to time of harvest, and indicate which species you intend to culture. Attach additional sheets if needed.

Source of the animals/plants that you want to culture: \_\_\_\_\_

*Note: VMRC Regulation 4VAC 20-754 et seq. "Pertaining to the Importation of Fish, Shellfish or Crustacea" sets forth the requirements for importing organisms from out of state.*

Describe below the number, type, and dimensions of the structures that will be used (e.g., 4' x 2' x 18" floats, 3' x 3' x 1' bottom cages, etc.) and the overall dimensions of the area to be occupied by the aquaculture structures (e.g., two 40-foot by 10-foot bottom plots).

Will the structures be affixed to an existing structure? ☐ yes ☐ no  
If so, describe the attachment below.

Will the structures be located on leased oyster planting ground? ☐ yes ☐ no  
If so, give the following information: \_\_\_\_\_ lease number \_\_\_\_\_ plat file number

Will permanent access roads be placed through wetlands/streams? ☐ yes ☐ no  
If yes, will the roads be \_\_\_\_\_ at grade or \_\_\_\_\_ above grade (check one)?

Will the utility line through wetlands/waters be continually maintained (e.g. via mowing or herbicide)? ☐ yes ☐ no  
If maintained, what is the maximum width? \_\_\_\_\_ feet

## Impact A

### 21. IMPOUNDMENTS, DAMS, AND STORMWATER MANAGEMENT FACILITIES (continued)

Does your proposed project comply with the Virginia Dam Safety Regulations? ☐ yes ☐ no

If your answer is "no," or if you are uncertain, you should contact the Virginia Department of Conservation and Recreation's Dam Safety Program at (804) 371-6095, or reference the regulations on the Web at <http://www.dcr.virginia.gov/sw/damsafety.htm>

How much of your proposed impoundment structure will be located on the stream bed? \_\_\_\_\_ square feet

What is the area of vegetated wetlands that will be backflooded by the impoundment? \_\_\_\_\_ square feet

What is the area and length of streambed that will be backflooded by the impoundment? \_\_\_\_\_ square feet (\_\_\_\_\_ linear feet)

Are fish ladders being proposed to accommodate the passage of fish? ☐ yes ☐ no

If you are proposing a stormwater management facility, has the facility been designed as an Enhanced Extended Detention Basin or an Extended Detention Basin in accordance with the Minimum Standard 3.07 of the Virginia Stormwater Management Handbook, Volume I (published by the Virginia Department of Conservation and Recreation, 1999)? ☐ yes ☐ no

### 22. UTILITY CROSSINGS

Type of crossing: ☐ overhead ☒ X ☐ trenched ☐ directionally-drilled

Method of clearing corridor of vegetation: ☒ X ☐ mechanized landclearing ☐ cutting vegetation above the soil surface

Describe the materials to be used in the installation of the utility line (including gravel bedding for trenched installations, bentonite slurries used during direction-drilling, etc.) and a sequence of events to detail how the installation will be accomplished (including methods used for in-stream and dry crossings).

The utility crossing will be trenched and filled with pipe bedding material VDOT No. 57 or its equivalent, with a minimum of 6 in. in depth. The selected pipe will be placed in the trenched and covered by compacted select fill with a CBR value 20 (minimum). There will be a minimum of 12 in. of cover over the pipe.

For overhead crossings over navigable waterways (including all tidal waterways), please indicate the height of other overhead crossings or bridges over the waterway relative to mean high water, mean low water, or ordinary high water:

Nominal system voltage, if project involves power lines: \_\_\_\_\_

Will there be an excess of excavated material? ☒ X ☐ yes ☐ no

If so, describe the method that will be undertaken to dispose of, and transport, the material to its permanent disposal location and give that location:

Any excess material will be used as fill for lots.

Will any excess material be stockpiled in wetlands? ☐ yes ☒ X ☐ no

If so, will the stockpiled material be placed on filter fabric or some other type of impervious surface? ☐ yes ☐ no

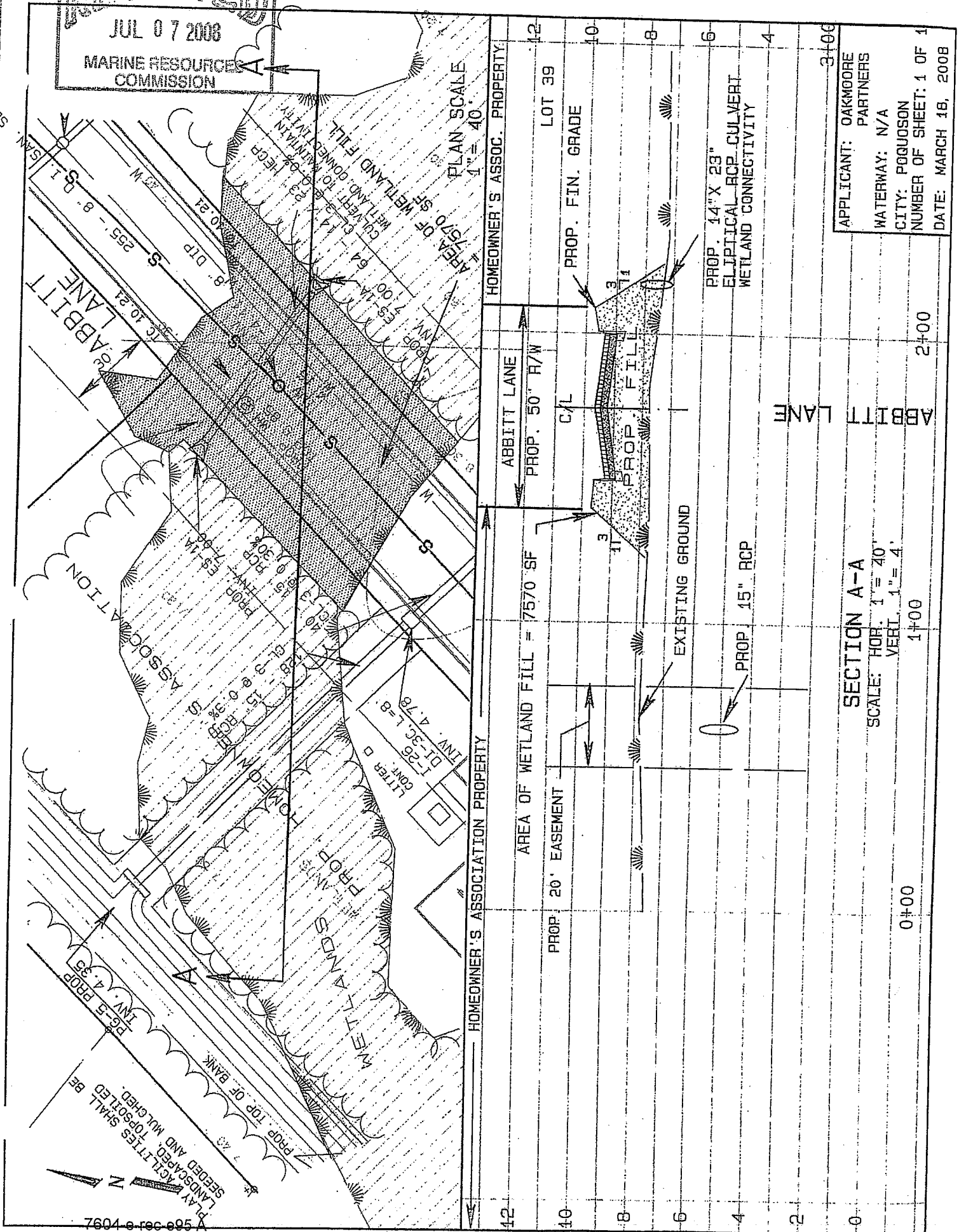
Drainage area above site: 0.20 square miles

Average stream flow at site: n/a cfs

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MARINE RESOURCES  
COMMISSION



APPLICANT: OAKMOORE  
PARTNERS  
WATERWAY: N/A  
CITY: POQUOSON  
NUMBER OF SHEET: 1 OF 1  
DATE: MARCH 16, 2008

SECTION A-A  
SCALE: HOR. 1" = 40'  
VERT. 1" = 4'

0+00

1+00

2+00

3+00

**Impact Area B:**

This impact shows an area of excavation for the proposed subdivision SWM pond, as well as, fill for a perimeter berm around the pond for maintenance.



## Impact B

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>3400</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): The purpose of this activity is to create a perimeter berm for the BMP, so that maintenance crews may be able to gain access.	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lamb's Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)	OUTFALL(S)		
Type and size of pipe(s):	Type and size of pipe(s):		
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps	Daily rate of discharge: _____ mgd		
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles	Average stream flow at site: _____ cfs		
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

# Impact B

## 17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands			9000	14630				
Nonvegetated wetlands								
Subaqueous land								
Totals								

If maintenance, number of maintenance cycles anticipated: N/A

Composition of material (percentage sand, silt, clay, rock): Tomotley fine sandy loam  
Provide documentation that the dredged material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site). *For DEQ permits, provide a Dredge Management Plan as per 9VAC25-680, 690-et seq.*

How will the dredged material be retained to prevent its re-entry into the waterway?

Standard Erosion and Sediment Control measures will be implemented.

Will the dredged material be used for any commercial purpose or beneficial use? ☒ yes ☐ no  
If yes, please explain:

If the material is deemed suitable, it will be used as fill for the subdivision.

If this is a maintenance dredging project, what was the date that the dredging was last performed? N/A  
Permit number of original permit: \_\_\_\_\_ (It is important that you attach a copy of the original permit.)

*For mining projects:* On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in waterbody segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL.

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ☐ yes ☐ no

Contributing drainage area: 0.20 square miles

Average stream flow at site: N/A cfs

## Impact B

### 20. NONTIDAL STREAM CHANNEL MODIFICATIONS

Contributing drainage area: \_\_\_\_\_ square miles

Existing average stream flow at site: \_\_\_\_\_ cfs

Proposed average stream flow at site (after modifications):  
\_\_\_\_\_ cfs

Explain, in detail, the method to be used to stabilize the banks (attach additional sheets if needed):

Explain the composition of the existing stream bed (percent cobble, rock, sand, etc.):

Will low-flow channels be maintained in the modified stream channel? \_\_\_\_yes \_\_\_\_no.  
Describe how:

Will any structure(s) be placed in the stream to create riffles, pools, meanders, etc.? \_\_\_\_yes \_\_\_\_no  
If yes, please explain:

### 21. IMPOUNDMENTS, DAMS, AND STORMWATER MANAGEMENT FACILITIES

What type of materials will be used in the construction (earth, concrete, rock, etc.)? Tomotley fine sandy loam  
What is the source of these materials? on-site

Storage capacity\* of impoundment: 60.55 acre-feet  
\*should be given for the normal pool of recreational/farm ponds or design pool for stormwater management ponds/reservoirs

Surface area\* of impoundment: 4.61 acres  
\*should be given for the normal pool of recreational/farm ponds or design pool for stormwater management ponds/reservoirs

*For stormwater management facilities:*

Design storm event: 100 year storm

Retention time: 30 hours

Current average flow: 55.9 cfs

Proposed outflow: \_\_\_\_\_ cfs

Will the impoundment structure be designed to pass a minimum flow at all times? \_\_\_\_yes Xno  
If so, please give the minimum rate of flow: \_\_\_\_\_ cfs

What is the drainage area upstream of the proposed impoundment? 0.20 square miles

## Impact B

### 21. IMPOUNDMENTS, DAMS, AND STORMWATER MANAGEMENT FACILITIES (continued)

Does your proposed project comply with the Virginia Dam Safety Regulations? ☐ yes ☒ no  
 If your answer is "no," or if you are uncertain, you should contact the Virginia Department of Conservation and Recreation's Dam Safety Program at (804) 371-6095, or reference the regulations on the Web at <http://www.dcr.virginia.gov/sw/damsafety.htm>

How much of your proposed impoundment structure will be located on the stream bed? \_\_\_\_\_ square feet  
 What is the area of vegetated wetlands that will be backflooded by the impoundment? \_\_\_\_\_ square feet  
 What is the area and length of streambed that will be backflooded by the impoundment? \_\_\_\_\_ square feet (\_\_\_\_\_ linear feet)

Are fish ladders being proposed to accommodate the passage of fish? ☐ yes ☐ no

If you are proposing a stormwater management facility, has the facility been designed as an Enhanced Extended Detention Basin or an Extended Detention Basin in accordance with the Minimum Standard 3.07 of the Virginia Stormwater Management Handbook, Volume I (published by the Virginia Department of Conservation and Recreation, 1999)? ☐ yes ☒ no

### 22. UTILITY CROSSINGS

Type of crossing: ☐ overhead ☐ trenched ☐ directionally-drilled

Method of clearing corridor of vegetation: ☐ mechanized landclearing ☐ cutting vegetation above the soil surface

Describe the materials to be used in the installation of the utility line (including gravel bedding for trenched installations, bentonite slurries used during direction-drilling, etc.) and a sequence of events to detail how the installation will be accomplished (including methods used for in-stream and dry crossings).

For overhead crossings over navigable waterways (including all tidal waterways), please indicate the height of other overhead crossings or bridges over the waterway relative to mean high water, mean low water, or ordinary high water:

Nominal system voltage, if project involves power lines: \_\_\_\_\_

Will there be an excess of excavated material? ☐ yes ☐ no  
 If so, describe the method that will be undertaken to dispose of, and transport, the material to its permanent disposal location and give that location:

Will any excess material be stockpiled in wetlands? ☐ yes ☐ no  
 If so, will the stockpiled material be placed on filter fabric or some other type of impervious surface? ☐ yes ☐ no

Drainage area above site: \_\_\_\_\_ square miles

Average stream flow at site: \_\_\_\_\_ cfs

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PROPOSED AREA OF  
WETLAND FILL = 3400 SF

POND MAINTENANCE ACCESS

SAFETY BENCH  
SAFETY BENCH

BANK SLOPE  
3:1

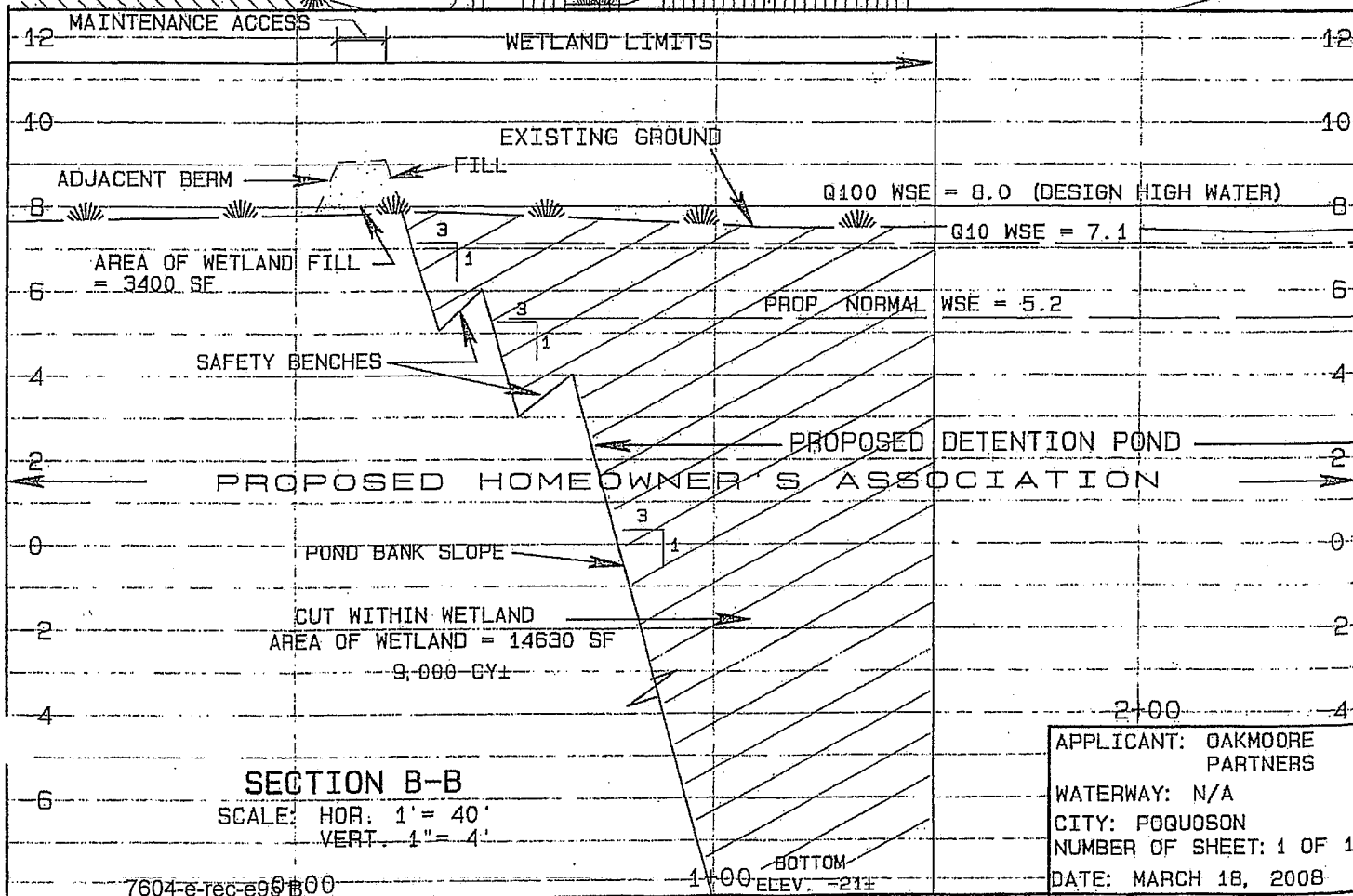
WETLAND

PROPOSED HOMEOWNER'S ASSOCIATION

PROPOSED RETENTION POND

PROPOSED AREA OF WETLAND  
EXCAVATION = 14630 SF

PLAN SCALE  
1" = 50'



7604-e-rec-e99800

**Impact Area C:**

This impact shows the fill for lots in the 0.31 acre isolated wetland. In the cross-section, a PG-5 paved ditch is also shown to impact wetlands, however it is not. The ditch will actually be excavated through the fill that will be placed in the wetland and the area will not be excavated below the existing wetland elevation. Therefore no excavation of wetlands will occur.

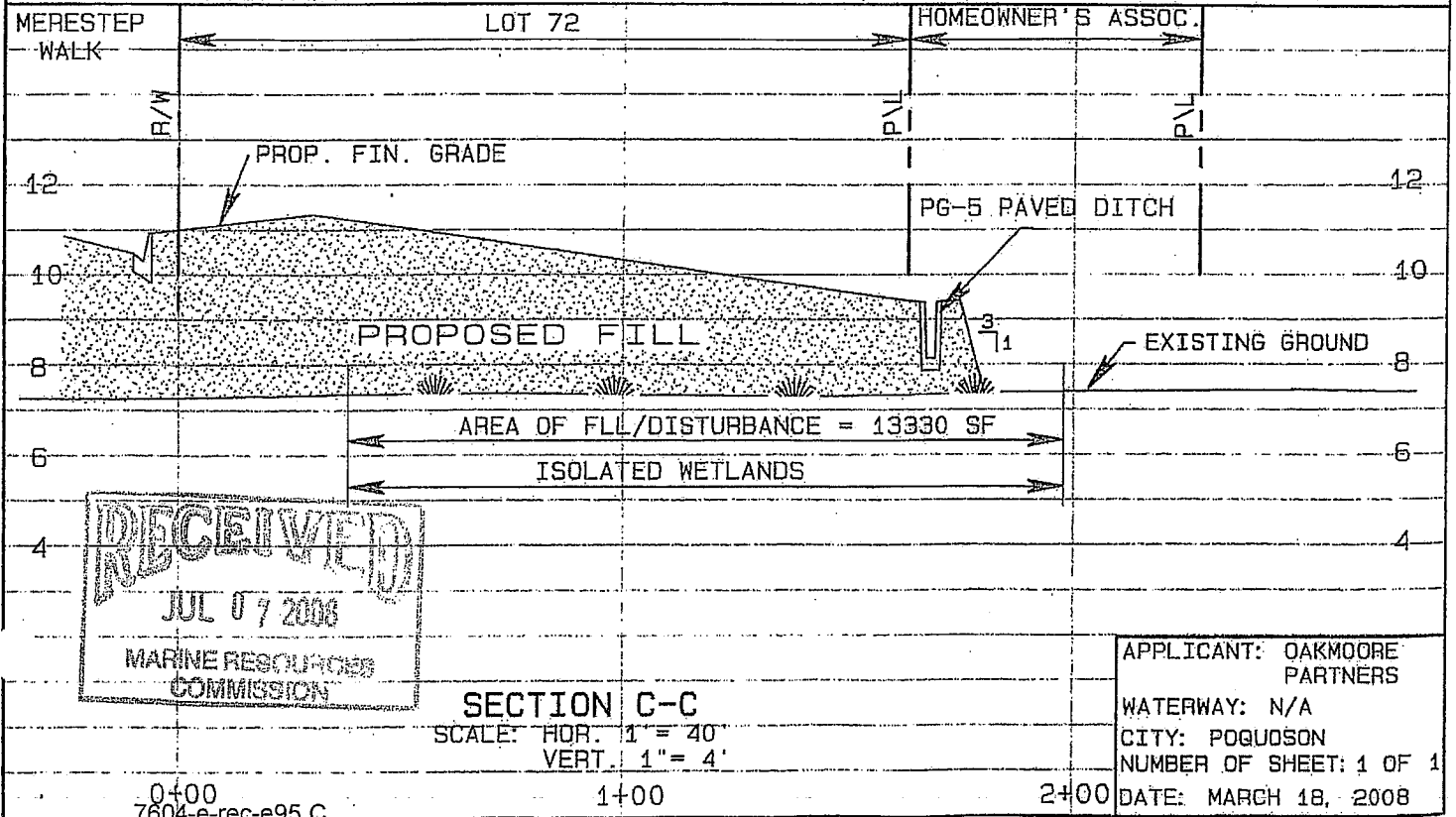
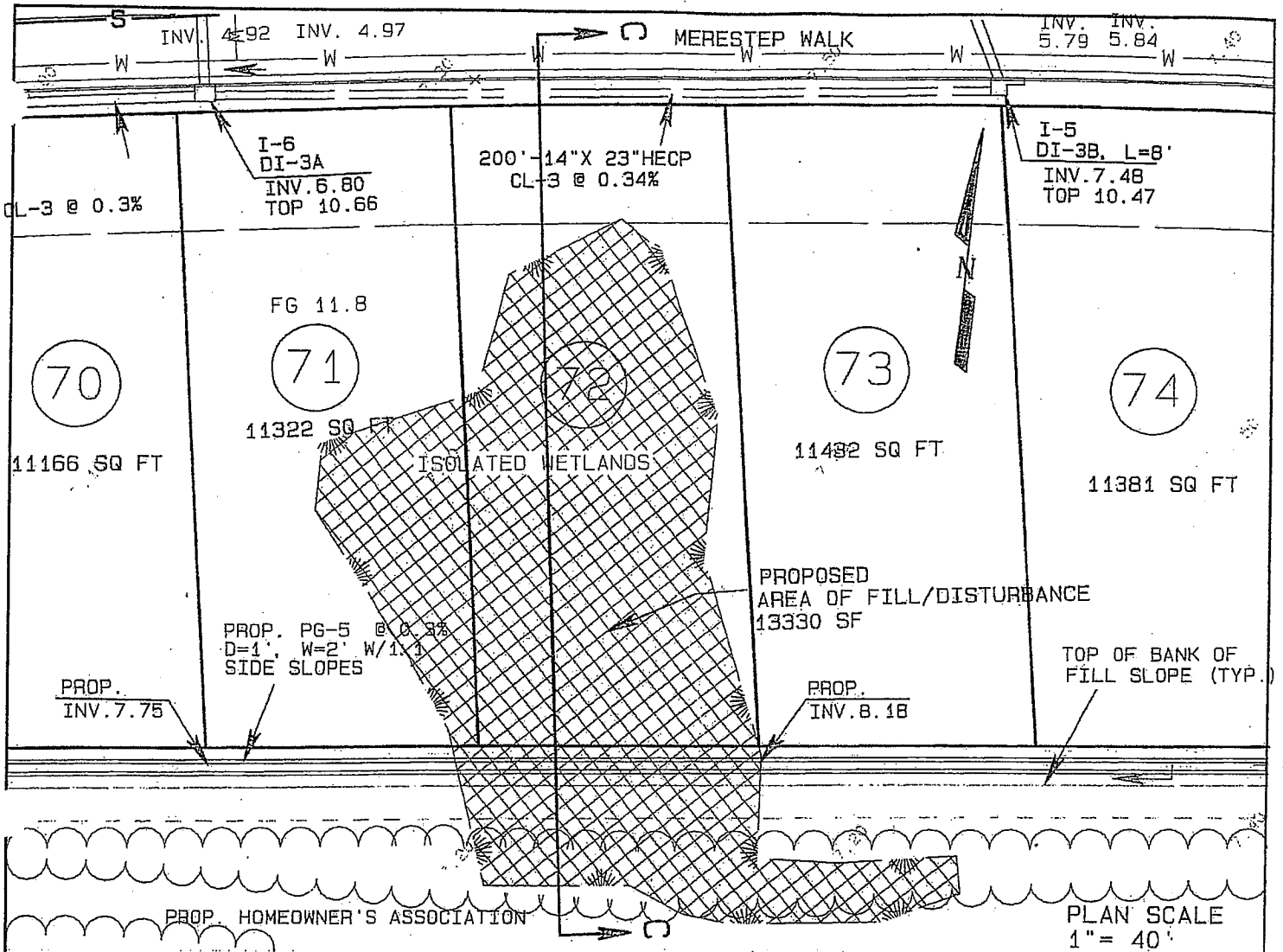
## Impact C

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>13330</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The purpose of this activity is to fill for housing lots.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lambs Creek</u>	
What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)		OUTFALL(S)	
Type and size of pipe(s):		Type and size of pipe(s):	
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps		Daily rate of discharge: _____ mgd	
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles		Average stream flow at site: _____ cfs	
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	



### SECTION C-C

SCALE: HOR. 1" = 40'  
VERT. 1" = 4'

APPLICANT: OAKMOORE PARTNERS  
WATERWAY: N/A  
CITY: POQUOSON  
NUMBER OF SHEET: 1 OF 1  
DATE: MARCH 18, 2008

0+00  
7604-e-rec-e95 C

1+00

2+00



**Impact Area D:**

This impact shows fill for the creation of a usable lot and a play site required per the City of Poquoson.

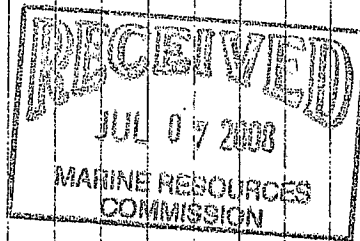
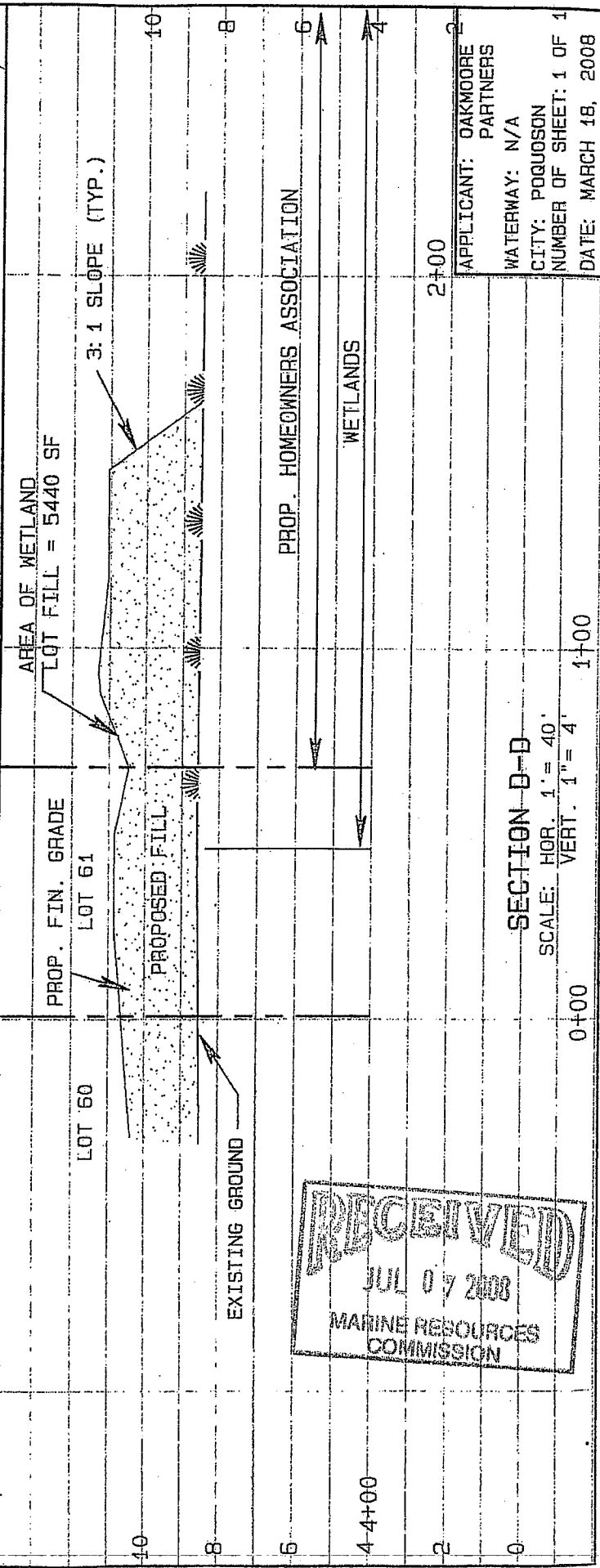
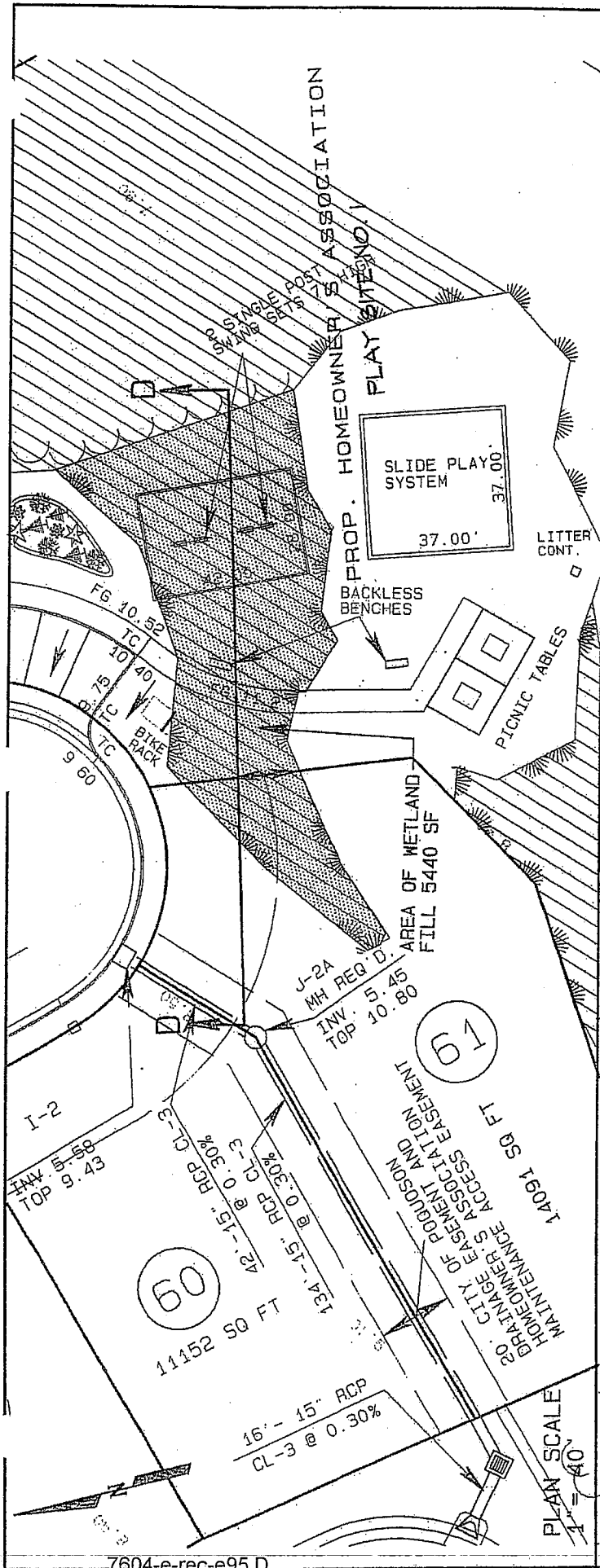
## Impact D

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>5440</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The purpose of this activity is fill for housing lots.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lambs Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)	OUTFALL(S)		
Type and size of pipe(s):	Type and size of pipe(s):		
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps	Daily rate of discharge: _____ mgd		
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles	Average stream flow at site: _____ cfs		
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	



## Impact E

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>380</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The purpose of this activity is fill for one of the subdivision roads.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lambs Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)	OUTFALL(S)		
Type and size of pipe(s):	Type and size of pipe(s):		
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps	Daily rate of discharge: _____ mgd		
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles	Average stream flow at site: _____ cfs		
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

# Impact E

## 17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands			13	200				
Nonvegetated wetlands								
Subaqueous land								
Totals								

If maintenance, number of maintenance cycles anticipated: N/A

Composition of material (percentage sand, silt, clay, rock): Tomotley fine sandy loam

Provide documentation that the dredged material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site). *For DEQ permits, provide a Dredge Management Plan as per 9VAC25-680, 690-et seq.*

How will the dredged material be retained to prevent its re-entry into the waterway?

Standard erosion and sediment controls will be used to prevent re-entry into the waterway.

Will the dredged material be used for any commercial purpose or beneficial use? ☒ yes ☐ no  
If yes, please explain:

If suitable, the dredged material will be used for lot or road fill for the proposed subdivision.

If this is a maintenance dredging project, what was the date that the dredging was last performed? N/A  
Permit number of original permit: \_\_\_\_\_ (It is important that you attach a copy of the original permit.)

*For mining projects:* On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in waterbody segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL.

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ☐ yes ☐ no

Contributing drainage area: 0.20 square miles

Average stream flow at site: N/A cfs

## Impact E

### 21. IMPOUNDMENTS, DAMS, AND STORMWATER MANAGEMENT FACILITIES (continued)

Does your proposed project comply with the Virginia Dam Safety Regulations? ☐ yes ☐ no  
 If your answer is "no," or if you are uncertain, you should contact the Virginia Department of Conservation and Recreation's Dam Safety Program at (804) 371-6095, or reference the regulations on the Web at <http://www.dcr.virginia.gov/sw/damsafety.htm>

How much of your proposed impoundment structure will be located on the stream bed? \_\_\_\_\_ square feet  
 What is the area of vegetated wetlands that will be backflooded by the impoundment? \_\_\_\_\_ square feet  
 What is the area and length of streambed that will be backflooded by the impoundment? \_\_\_\_\_ square feet (\_\_\_\_\_ linear feet)

Are fish ladders being proposed to accommodate the passage of fish? ☐ yes ☐ no

If you are proposing a stormwater management facility, has the facility been designed as an Enhanced Extended Detention Basin or an Extended Detention Basin in accordance with the Minimum Standard 3.07 of the Virginia Stormwater Management Handbook, Volume I (published by the Virginia Department of Conservation and Recreation, 1999)? ☐ yes ☐ no

### 22. UTILITY CROSSINGS

Type of crossing: ☐ overhead ☒ X ☐ trenched ☐ directionally-drilled

Method of clearing corridor of vegetation: ☒ X ☐ mechanized landclearing ☐ cutting vegetation above the soil surface

Describe the materials to be used in the installation of the utility line (including gravel bedding for trenched installations, bentonite slurries used during direction-drilling, etc.) and a sequence of events to detail how the installation will be accomplished (including methods used for in-stream and dry crossings).

The utility crossing will be trenched and filled with pipe bedding material VDOT No. 57 or its equivalent, with a minimum of 6 in. in depth. The selected pipe will be placed in the trenched and covered by compacted select fill with a CBR value 20 (minimum). There will be a minimum of 12 in. of cover over the pipe.

For overhead crossings over navigable waterways (including all tidal waterways), please indicate the height of other overhead crossings or bridges over the waterway relative to mean high water, mean low water, or ordinary high water:

Nominal system voltage, if project involves power lines: \_\_\_\_\_

Will there be an excess of excavated material? ☒ X ☐ yes ☐ no

If so, describe the method that will be undertaken to dispose of, and transport, the material to its permanent disposal location and give that location:

Any excess material will be used as fill for lots.

Will any excess material be stockpiled in wetlands? ☐ yes ☒ X ☐ no

If so, will the stockpiled material be placed on filter fabric or some other type of impervious surface? ☐ yes ☐ no

Drainage area above site: 0.20 square miles

Average stream flow at site: n/a cfs

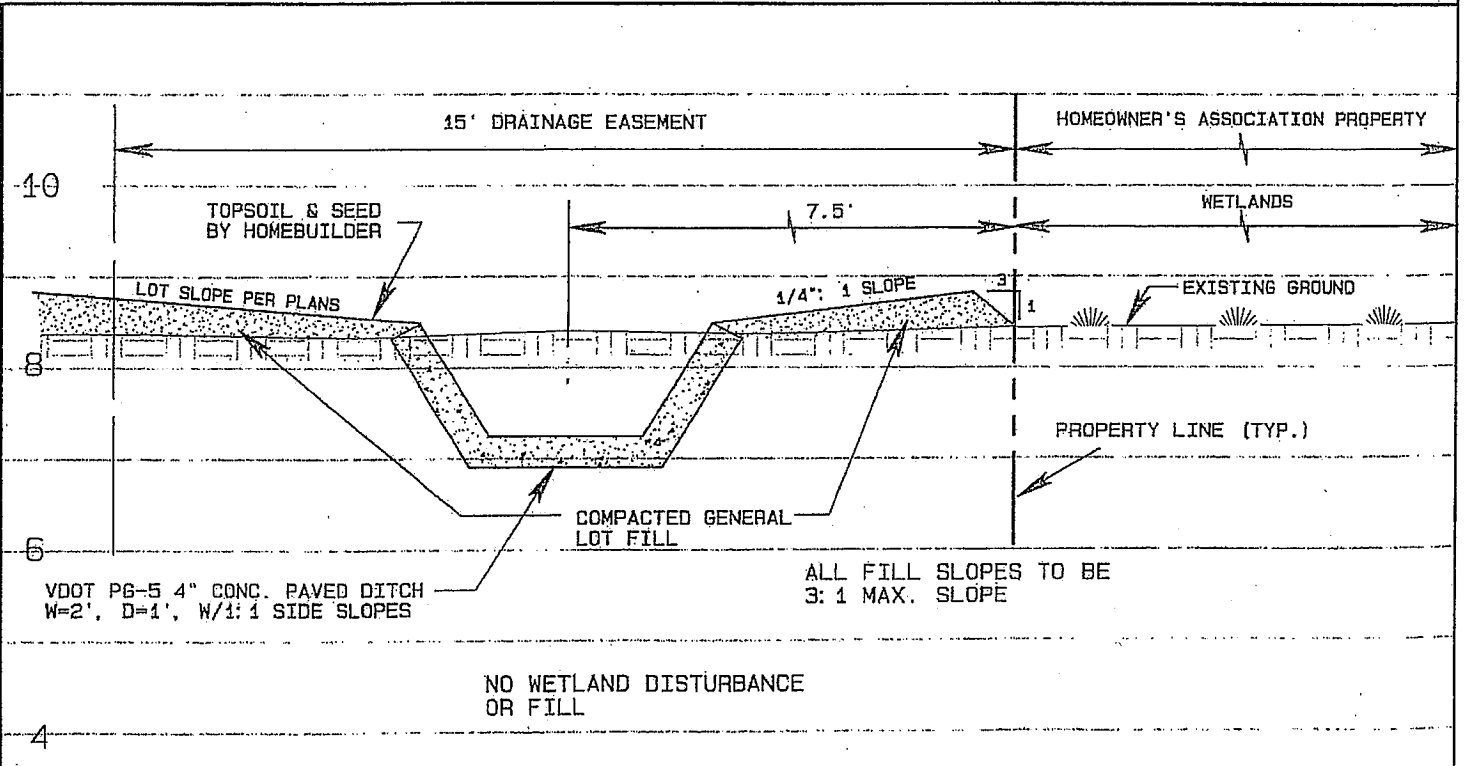
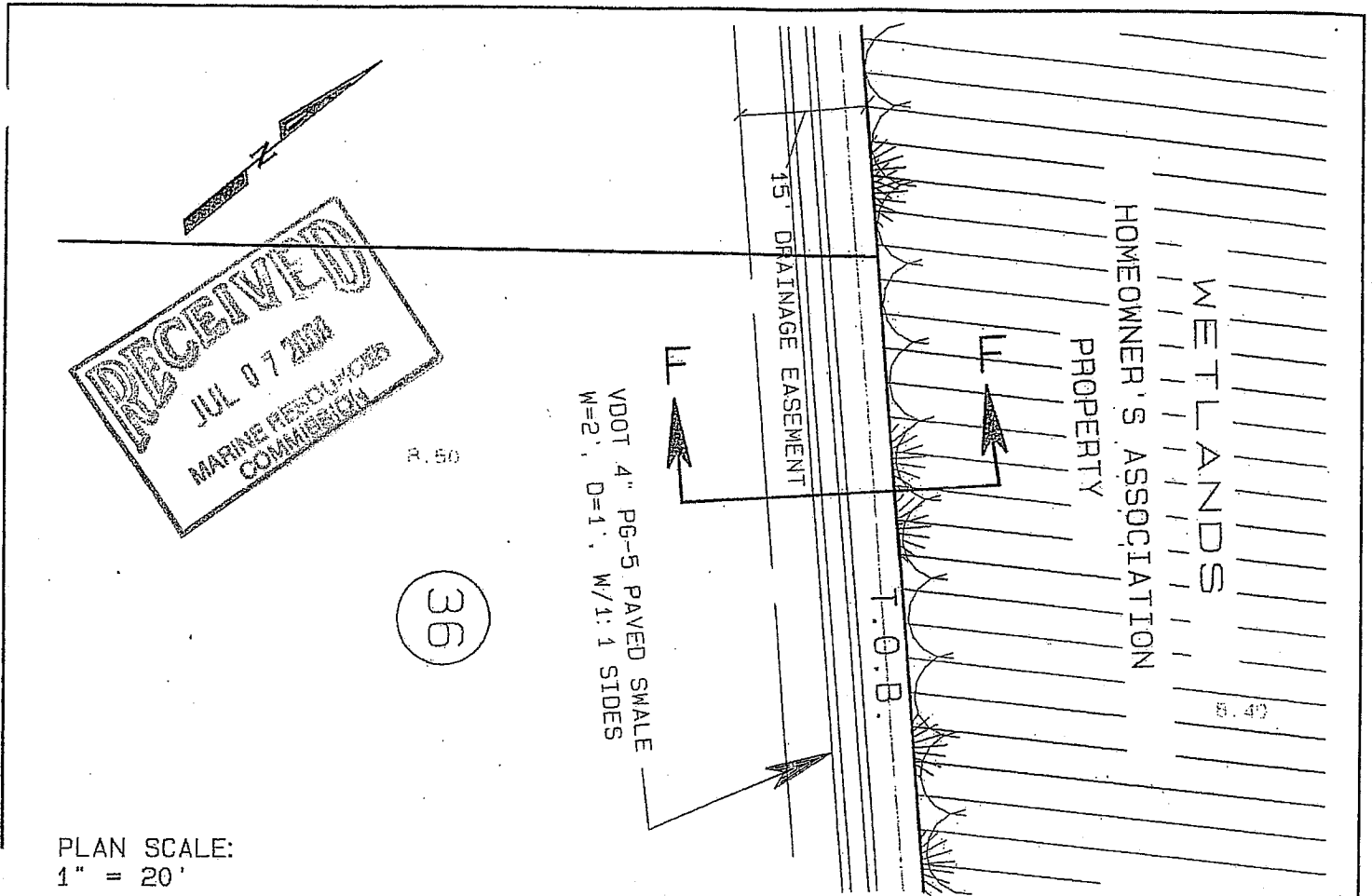


**Area F:**

There is no impact shown in this cross-section. This graphic was included for background information purposes only to show that the drainage easement would not impact wetlands.



# Area F



APPLICANT: OAKMOORE  
PARTNERS

WATERWAY: N/A

CITY: POQUOSON

NUMBER OF SHEET: 1 OF 1

DATE: MARCH 18, 2008

**Impact Area G:**

The impact in this cross-section shows fill for a housing lot, a utility easement, and the paved ditch running along the western lot boundaries. There will also be fill used outside the lot lines to achieve the proper grading with a stable slope. Excavation will be from the creation of the paved ditch.

· A sanitary sewer line will be installed through the utility easement.

## Impact G

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>6500</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The fill will be used to fill lots for housing and concrete will be used to line a paved ditch that runs along the western border of the property.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lamb's Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)		OUTFALL(S)	
Type and size of pipe(s):		Type and size of pipe(s):	
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps		Daily rate of discharge: _____ mgd	
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles		Average stream flow at site: _____ cfs	
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

# Impact G

## 17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands			157	2760				
Nonvegetated wetlands								
Subaqueous land								
Totals								

If maintenance, number of maintenance cycles anticipated: N/A

Composition of material (percentage sand, silt, clay, rock): Tomotley fine sandy loam

Provide documentation that the dredged material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site). *For DEQ permits, provide a Dredge Management Plan as per 9VAC25-680, 690-et seq.*

How will the dredged material be retained to prevent its re-entry into the waterway?

Standard Erosion and Sediment Control measures will be used.

Will the dredged material be used for any commercial purpose or beneficial use? ☒ yes ☐ no  
If yes, please explain:

If the material is deemed suitable, then it will be used as fill on-site.

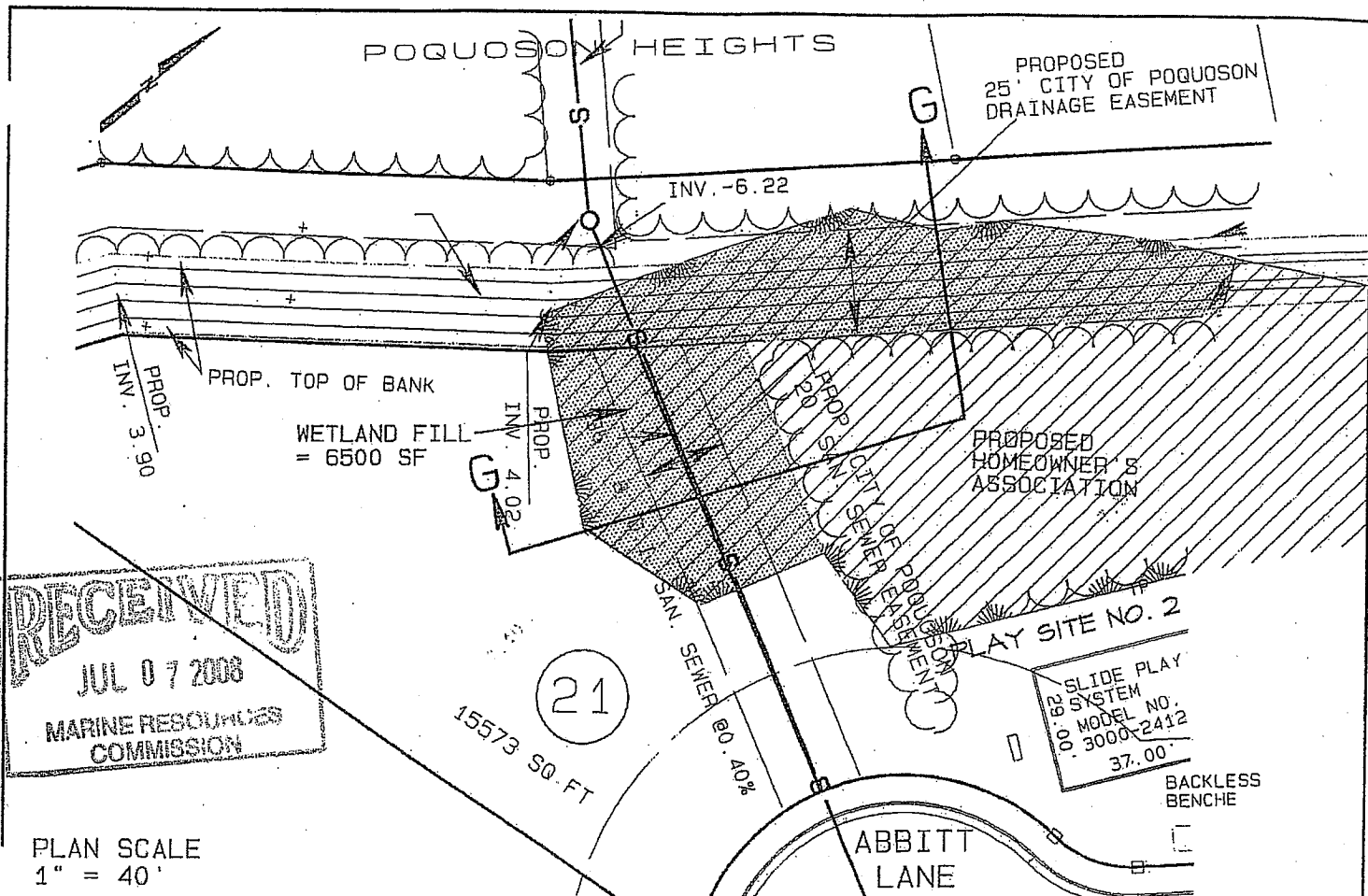
If this is a maintenance dredging project, what was the date that the dredging was last performed? N/A  
Permit number of original permit: \_\_\_\_\_ (It is important that you attach a copy of the original permit.)

*For mining projects:* On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in waterbody segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL.

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ☐ yes ☐ no

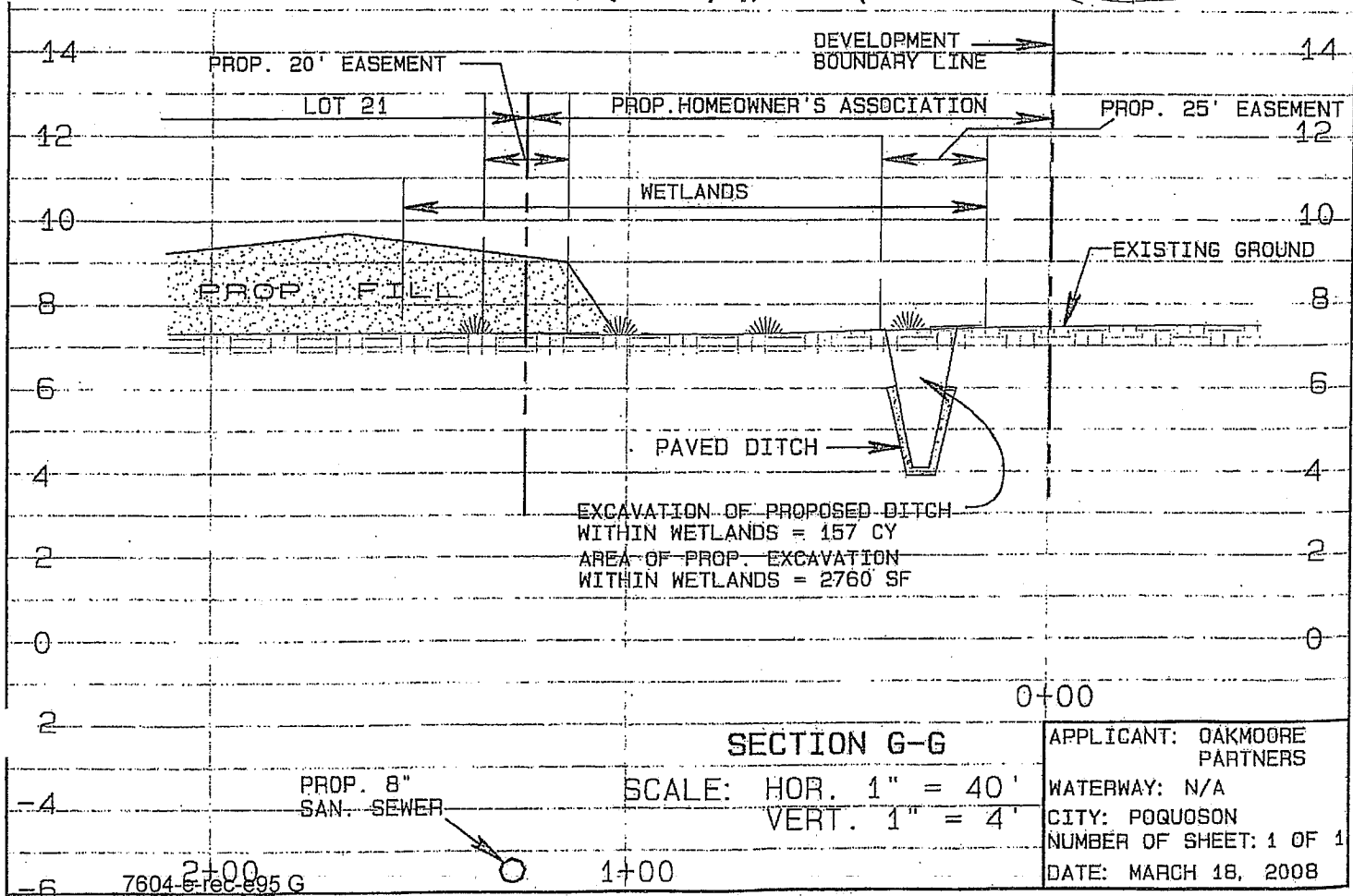
Contributing drainage area: 0.20 square miles

Average stream flow at site: N/A cfs



**RECEIVED**  
 JUL 07 2008  
 MARINE RESOURCES  
 COMMISSION

PLAN SCALE  
 1" = 40'



**SECTION G-G**

SCALE: HOR. 1" = 40'  
 VERT. 1" = 4'

APPLICANT: OAKMOORE  
 PARTNERS  
 WATERWAY: N/A  
 CITY: POQUOSON  
 NUMBER OF SHEET: 1 OF 1  
 DATE: MARCH 18, 2008

**Impact Area H:**

The impact in this area includes fill for the northern most point of the play site shown in Impact Area D.

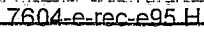
## Impact H

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: _____ cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>570</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The purpose of this activity is to fill for housing lots.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lambs Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)		OUTFALL(S)	
Type and size of pipe(s):		Type and size of pipe(s):	
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps		Daily rate of discharge: _____ mgd	
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles		Average stream flow at site: _____ cfs	
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	





**Impact I/J:**

The impacts at this site include the excavation and fill of 600 linear feet of jurisdictional tidal Waters of the US. The current elevation of the ditch will be deepened by approximately 1 foot, in order to accommodate a larger diameter pipe that will replace the pipe in the existing buried portion of the ditch. Once the new elevation is achieved, the open portion of the ditch will become a concrete swale with a section of rip rap where the ditch joins Lambs Creek. Due to topographical restraints in the area limiting the slope of the ditch, the City of Poquoson is requiring that the ditch become paved. All of the work including excavation and trucks accessing the site will be confined to an existing easement over the ditch. The material that is to be removed will be disposed of on the upland portion of the project site.

The cross section showing J-J is a typical view of the paved section of the ditch.

The cross section showing I-I is a typical view of the rip rap portion of the ditch.

The total impact area was determined using 12 ft (width of the ditch at the 3ft elevation) times the 600 linear feet of jurisdictional area. The fill and excavation numbers are given as a total figure; however the cross section shows a typical view for both types of fill.

## Impact I-J

### 18. FILL IN WETLANDS/WATERS (not associated with backfilled shoreline structures)

Source of material: <u>On-site</u>	Volume of fill below MHW: <u>600</u> cubic yards OHW: _____ cubic yards
Area of fill in vegetated wetlands: _____ square feet (tidal) <u>7200</u> square feet (nontidal)	
Source and composition of material (percentage sand, silt, clay, rock): <u>Tomotley fine sandy loam</u>	
Provide documentation that the fill material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site).	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): <u>The purpose of this activity is fill for one of the subdivision roads.</u>	
If the filling activity is occurring in vegetated wetlands, name the receiving waterbody (or the nearest waterbody if work is occurring in a hydrologically isolated wetland): <u>Lambs Creek</u> What is the distance of the given waterbody from the proposed activity? <u>0.5 miles</u>	
Contributing drainage area: <u>0.20</u> square miles	Average stream flow at site: <u>N/A</u> cfs

### 19. INTAKE, OUTFALL, AND WATER CONTROL STRUCTURES (INCLUDING ALL PROPOSED WATER WITHDRAWAL ACTIVITIES)

INTAKE(S)	OUTFALL(S)		
Type and size of pipe(s): _____	Type and size of pipe(s): _____		
Daily rate of withdrawal: _____ mgd Velocity of withdrawal: _____ fps	Daily rate of discharge: _____ mgd		
Screen mesh size: _____ inches _____ mm _____ other (please specify)			
If the discharge will be thermally-enhanced, provide the maximum temperature: _____			
Contributing drainage area: _____ square miles	Average stream flow at site: _____ cfs		
On the table below, provide the median (not mean) monthly stream flows in cubic feet per second (cfs) at the water intake or dam site (not at the gauge). Median flow is the value at which half of the measurements are above and half of the measurements are below. Median is also sometimes referred to as the '50% exceedence flow'. The median flow generally must be calculated from USGS historical data.			
Month	Median flow (cfs)	Month	Median flow (cfs)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

# Impact I-J

## 17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands			600	7200				
Nonvegetated wetlands								
Subaqueous land								
Totals								

If maintenance, number of maintenance cycles anticipated: N/A

Composition of material (percentage sand, silt, clay, rock): Tomotley and Dragston Urban Land Complexes

Provide documentation that the dredged material is free of toxics, or documentation of proper disposal if toxic (i.e. bill of lading from commercial supplier or disposal site). *For DEQ permits, provide a Dredge Management Plan as per 9VAC25-680, 690]-et seq.*

How will the dredged material be retained to prevent its re-entry into the waterway?

Standard erosion and sediment controls will be used to prevent re-entry into the waterway.

Will the dredged material be used for any commercial purpose or beneficial use? ☒ yes ☐ no  
If yes, please explain:

If suitable, the dredged material will be used for lot or road fill for the proposed subdivision.

If this is a maintenance dredging project, what was the date that the dredging was last performed? N/A  
Permit number of original permit: \_\_\_\_\_ *(It is important that you attach a copy of the original permit.)*

*For mining projects:* On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in waterbody segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL.

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ☐ yes ☐ no

Contributing drainage area: 0.20 square miles

Average stream flow at site: N/A cfs





## **Avoidance and Minimization**

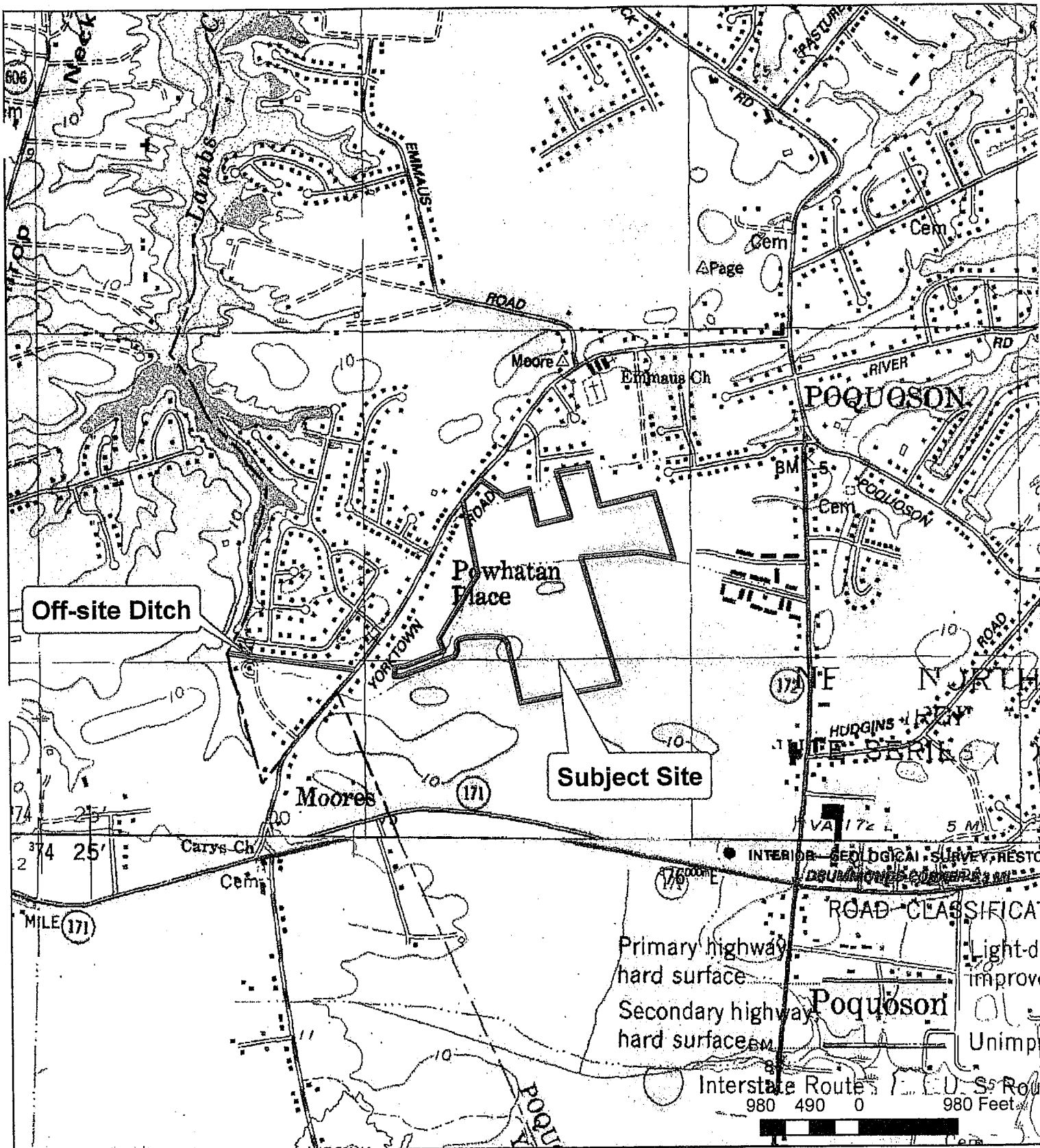
Avoidance and minimization efforts concerning wetland impacts concentrated on keeping the majority of the lots and roads away from the wetland areas. The areas that are impacted occur either in the 0.31 acre isolated wetland, fringes of wetland areas and the western-most tip of the 12.37 acre area. In addition, where one of the proposed roads impacts the wetland, it is to be perpendicular to the wetlands in order to minimize that area of impact. Housing lots were also removed from the area where the road crosses wetlands, in order to reduce the acreage of impacts.

The locations of the roads are best suited for the project design, with minimal impacts to wetlands. Any shifting of the road that does impact wetlands would change the geometrics of the design and would affect lots. The lots would have to be decreased in size or be deemed unbuildable. This would further affect the economics and feasibility and project as a whole. Hence, the current road location is the most ideal for jointly minimizing impacts to wetlands and maintaining economic viability. In addition, a culvert will be countersunk under the road in order to maintain hydraulic connectivity.

The layout of the lots have also been arranged as to avoid increased impacts to wetlands. Of the total wetland fill of 0.85 acres, only 0.54 acres are due to fill for lot, road, and SWM pond impacts, with an additional 0.31 acres of lot fill impacts to the isolated wetland. The total area of excavation is 0.34 acres.

The Westover Shores Ditch that is proposed for improvement is due to the potential subdivision development. As the ditch currently exists, it is not sufficient enough to handle the additional stormwater input. Therefore, the portion of the ditch that is currently piped will be replaced with a larger diameter pipe. The increase in pipe size would require the bottom ditch elevation to be lowered. Due to the topographical restraints in the area, the City of Poquoson is requiring the remainder of the ditch become paved.

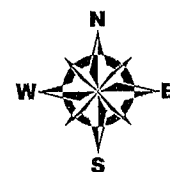
In order to manage the stormwater from the lots in the southern portion of the property, a pipe will be buried through the 12.37 acre wetland area that connects to the SWM pond. After the pipe is installed, the area will be returned to original grade.

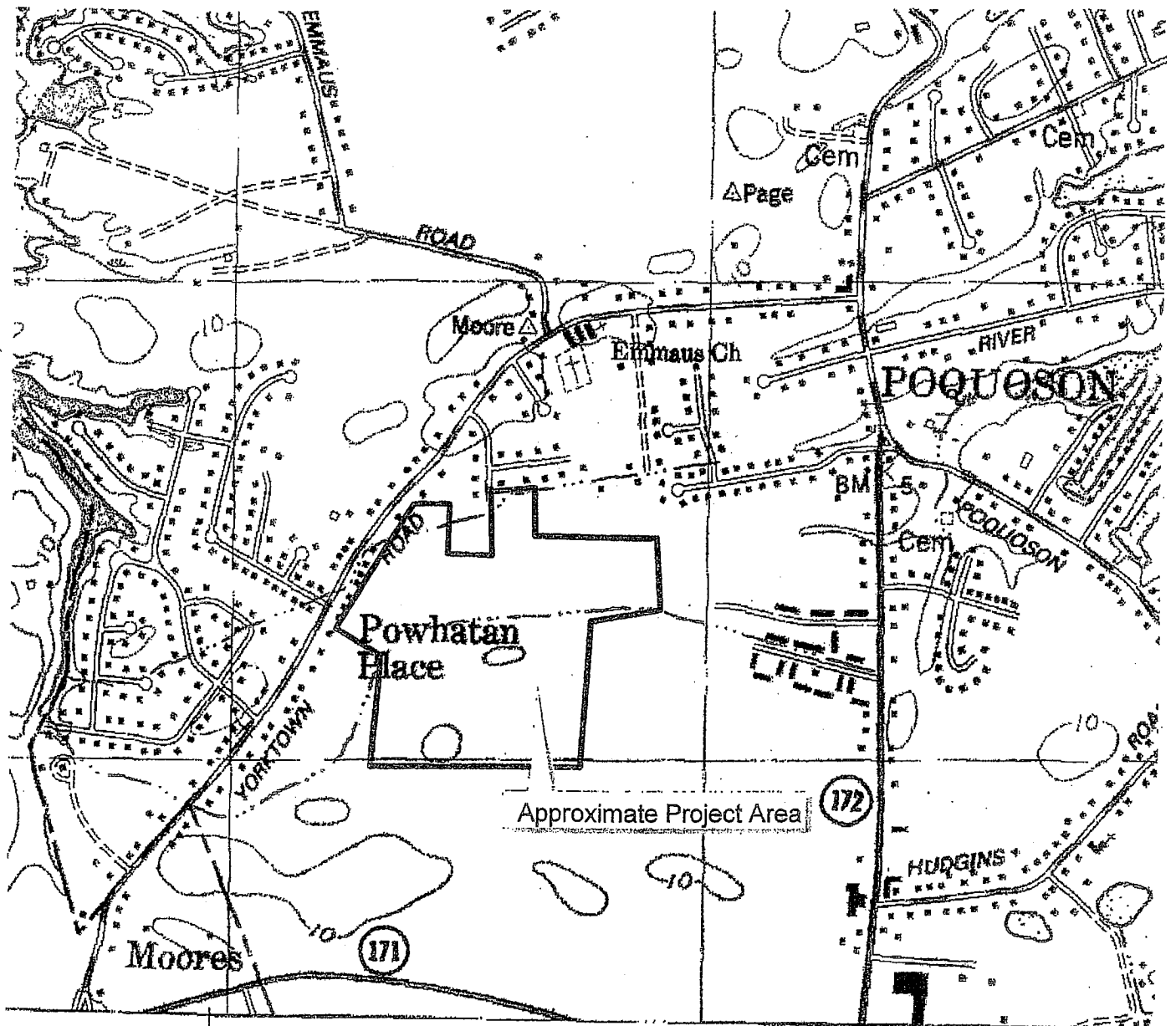


### Vicinity Map

Source: USGS Topographic Map  
Poquoson West Quad 37076-B4

Oakmoore Subdivision  
Poquoson, Virginia

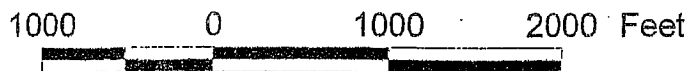




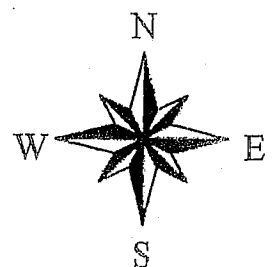
376000mE

INTERIOR—GEOLOGICAL SURVEY, I  
DRUMMONDS CORNER 2.3 A

ROAD CLASSIF



Vicinity Map	
Oakmoore Subdivision Poquoson, Virginia	
Environmental Specialties Group, Inc. 11836 Fishing Point Drive - Suite 100 Newport News, Virginia 23606 (757) 599-7501	
7604-g1-rec-m75	Drawn: MMB Project#: 7604 Checked: JS Date: 4-12-06





**Megan Brown**

---

**From:** <Amy.Ewing@dgif.virginia.gov>  
**To:** <mbrown@envspgroup.com>  
**Sent:** Thursday, May 22, 2008 11:23 AM  
**Subject:** ESSLog# 25117\_Oakmoore Subdivision

Based on the scope and location of this proposed development, we do not anticipate it to result in impacts upon federal Endangered Kemp's ridley sea turtle, federal Threatened loggerhead sea turtle or any other listed wildlife resources under our jurisdiction.

To minimize overall impacts to wildlife and our natural resources, we offer the following comments about development activities: We recommend that the applicant avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable. Avoidance and minimization of impact may include relocating stream channels as opposed to filling or channelizing as well as using, and incorporating into the development plan, a natural stream channel design and wooded buffers. We recommend maintaining undisturbed wooded buffers of at least 100 feet in width around all on-site wetlands and on both sides of all perennial and intermittent streams. We recommend maintaining wooded lots to the fullest extent possible. We generally do not support proposals to mitigate wetland impacts through the construction of stormwater management ponds, nor do we support the creation of in-stream stormwater management ponds. We are willing to assist the applicant in developing a plan that includes open-space, wildlife habitat, and natural stream channels which retain their wooded buffers.

We recommend that the stormwater controls for this project be designed to replicate and maintain the hydrographic condition of the site prior to the change in landscape. This should include, but not be limited to, utilizing bioretention areas, and minimizing the use of curb and gutter in favor of grassed swales. Bioretention areas (also called rain gardens) and grass swales are components of Low Impact Development (LID). They are designed to capture stormwater runoff as close to the source as possible and allow it to slowly infiltrate into the surrounding soil. They benefit natural resources by filtering pollutants and decreasing downstream runoff volumes.

We recommend conducting any in-stream activities during low or no-flow conditions, using non-erodible cofferdams to isolate the construction area, blocking no more than 50% of the streamflow at any given time, stockpiling excavated material in a manner that prevents reentry into the stream, restoring original streambed and streambank contours, revegetating barren areas with native vegetation, and implementing strict erosion and sediment control measures. Due to future maintenance costs associated with culverts, and the loss of riparian and aquatic habitat, we prefer stream crossings to be constructed via clear-span bridges. However, if this is not possible, we recommend countersinking any culverts below the streambed at least 6 inches, or the use of bottomless culverts, to allow passage of aquatic organisms. We also recommend the installation of floodplain culverts to carry bankfull discharges.

Thank you.

Amy M. Ewing  
Environmental Services Biologist  
Virginia Dept. of Game and Inland Fisheries  
4010 West Broad Street  
Richmond, VA 23230  
804-367-2211  
[amy.ewing@dgif.virginia.gov](mailto:amy.ewing@dgif.virginia.gov)

# 7604



## COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.  
Secretary of Natural Resources

Department of Game and Inland Fisheries

Robert W. Duncan  
Executive Director

May 20, 2008

Megan Brown  
Environmental Scientist  
Environmental Specialties Group, Inc.  
11836 Fishing Point Drive, Suite 100  
Newport News, Virginia 23606

RE: ESSLOG #25117, Oakmoore Subdivision, ESG Project Number: 7604, Poquoson, VA.

Dear Ms. Brown:

This letter is in response to your request for information related to the presence of threatened or endangered species in the vicinity of the above referenced project.

The federal endangered/state endangered Kemp's ridley sea turtle (*Lepidochelys kempii*) and the federal threatened/state threatened loggerhead sea turtle (*Caretta caretta*) have been documented approximately 1.75 miles from this project area. Therefore, the applicant should coordinate with the VDGIF Environmental Services Section (804-367-6913) and with the U.S. Fish and Wildlife Service concerning potential impacts to these species. Contact information for the U.S. Fish and Wildlife Service is as follows: Tylan Dean, 6669 Short Lane; Gloucester, VA 23061, (804) 693-6694 (phone), (804) 693-9032 (fax), or [Tylan\\_Dean@fws.gov](mailto:Tylan_Dean@fws.gov) (email).

In addition, the following state special concern species have been documented approximately 1.25 to 2 miles from this project area: yellow-crowned night-heron (*Nyctanassa violacea*) and Forster's tern (*Sterna forsteri*). As well, a block survey of an area encompassing the project site documented the state special concern great egret (*Ardea alba*) during the breeding season. However, the classification of state special concern is not a legal designation and does not require further coordination. Additionally, please note that this project area is within 2 miles of Langley Air Force Base, which is a U.S. Air Force property.

Information about fish and wildlife species was generated from our agency's computerized Fish and Wildlife Information System, which describes animals that are known or may occur in a particular geographic area. Field surveys may be necessary to determine the presence or absence of some of these species on or near the proposed area. Also, additional sensitive animal species may be present, but their presence has not been documented in our information system.

Endangered plants and insects are under the jurisdiction of the Virginia Department of Agriculture

Megan Brown  
ESSLog #25117  
5/20/2008  
Page 2

and Consumer Services, Bureau of Plant Protection. Questions concerning sensitive plant and insect species occurring at the project site should be directed to Keith Tignor at (804) 786-3515.

The Virginia Department of Conservation and Recreation, Natural Heritage Program, maintains a database of natural heritage resources, including the habitat of rare, threatened, or endangered plant and animal species, unique exemplary natural communities, and significant geologic formations, that may contain information not documented in this letter. Their database may be accessed from <http://www.dcr.state.va.us/dnh/nhrinfo.htm>, or by contacting S. Rene Hypes at (804) 371-2708.

This letter summarizes the likelihood of the occurrence of endangered or threatened animal species at the project site. If you have more questions in this regard, please contact me at (804) 367-1185.

There is a processing charge of \$25.00 for our response. Please remit a check, made payable to **TREASURER OF VIRGINIA**, within 30 days. To insure proper credit to your account, please address your payment envelope directly to Shirl Dressler at the address listed in the letterhead.

Please note that this response does not constitute consultation or management recommendations regarding endangered or threatened wildlife, or any other environmental concerns. These issues are analyzed by our Environmental Services Section, in conjunction with interagency review of applications for state and federal permits. If you have any questions in this regard, please contact the Environmental Services Section at (804) 367-6913.

*Please note that the data used to develop this response are continually updated. Therefore, if significant changes are made to your project or if the project has not begun within 6 months of receiving this letter, then the applicant should request a new review of our data.*

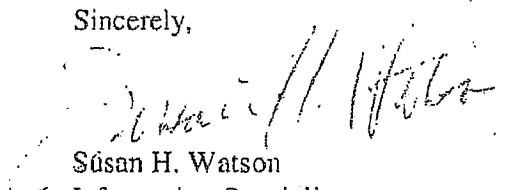
For your reference, if you do not receive a response from our office within 30 days, this does not constitute a finding of "no adverse impact" to wildlife or wildlife resources. If you need an expedited response to your request, please call Shirl Dressler at (804) 367-6913.

The Fish and Wildlife Information Service, the system of databases used to provide the information in this letter, can now be accessed via the Internet! The Service currently provides access to current and comprehensive information about all of Virginia's fish and wildlife resources, including those listed as threatened, endangered, or special concern; colonial birds; waterfowl; trout streams; and all wildlife. Users can choose a geographic location and generate a report of species known or likely to occur around that point. From our main web page, at [www.dgif.virginia.gov](http://www.dgif.virginia.gov), choose the hyperlink titled "Virginia Fish and Wildlife Information Service". For more information about the service, please contact Shirl Dressler at (804) 367-6913.

Megan Brown  
ESSLog #25117  
5/20/2008  
Page 3

Thank you for your interest in the wildlife resources of Virginia.

Sincerely,



Susan H. Watson  
Information Specialist

cc: R.T. Fernald, VDGIF  
T. Dean, USFWS  
R. Hypes, VDCR-NH

**Megan Brown**

---

From: "ESG" <admin@envspgroup.com>  
"Shirl Dressler" <DresslerS@dgif.state.va.us>  
Tuesday, April 01, 2008 10:20 AM  
Attach: 7604-g1-rec-d43.jpg  
Subject: T & E Request

Dear Ms. Dressler:

RE: Oakmoore Subdivision, Poquoson, Virginia  
ESG Project Number: 7604

Please accept this letter as a request for your office to review the above referenced site information to determine if any wildlife or plants, that are eligible for listing, or are listed on both the Federal and State Endangered and/or Threatened Species List, could be expected to be found on the project site.

The project is the construction of a proposed subdivision that will include roads, a BMP pond, and utilities. The 65.25-acre site is located off of Yorktown Road, Route 782 in Poquoson, Virginia. There is an offsite ditch which will be improved located to the west of the proposed subdivision on the opposite side of Yorktown Road. Please see the enclosed vicinity map for a more specific site location.

Your prompt attention to this matter is appreciated. Please send your comments to the address listed below.

Environmental Specialties Group, Inc.  
11836 Fishing Point Drive  
Suite 100  
Newport News, Virginia 23606

If you have any questions, or require additional information, please do not hesitate to contact me at (757) 599-7501. We appreciate your attention to this matter and look forward to your response.

Sincerely,

Megan Brown  
Environmental Scientist

Enclosure (1)

Environmental Specialties Group, Inc.  
11836 Fishing Point Drive; Suite 100  
Newport News, Virginia 23606  
E-mail: [admin@envspgroup.com](mailto:admin@envspgroup.com)  
Phone 757-599-7501  
Fax 757-599-7509

7604-a-rec-d43

---

**Legan Brown**

---

**From:** "ProjectReview ProjectReview" <ProjectReview@dgif.virginia.gov>  
**To:** <mbrown@envspgroup.com>  
**Sent:** Tuesday, November 28, 2006 10:53 AM  
**Subject:** ESSLog#22286\_Oakmoore subdivision

Ms. Brown,

I concur with the assessment of impacts you made in the letter you sent dated November 22, 2006. We do not anticipate significant adverse impacts upon FESE Kemp's Ridley sea turtle and FTST loggerhead sea turtle as a result of this project. As stated in prior correspondence, we typically recommend that the applicant get concurrence/comments from USFWS whenever federally listed species are documented in the project area.

To minimize overall impacts to wildlife and our natural resources, we offer the following comments about development activities:

We recommend that the applicant avoid and minimize impacts to undisturbed forest, wetlands, and streams to the fullest extent practicable. Avoidance and minimization of impact may include relocating stream channels as opposed to filling or channelizing as well as using, and incorporating into the development plan, a natural stream channel design and wooded buffers. We recommend maintaining undisturbed wooded buffers of at least 100 feet in width around all on-site wetlands and on both sides of all perennial and intermittent streams. We recommend maintaining wooded lots to the fullest extent possible. We generally do not support proposals to mitigate wetland impacts through the construction of stormwater management ponds, nor do we support the creation of in-stream stormwater management ponds. We are willing to assist the applicant in developing a plan that includes open-space, wildlife habitat, and natural stream channels which retain their wooded buffers.

We recommend that the stormwater controls for this project be designed to replicate and maintain the hydrographic condition of the site prior to the change in landscape. This should include, but not be limited to, utilizing bioretention areas, and minimizing the use of curb and gutter in favor of grassed swales. Bioretention areas (also called rain gardens) and grass swales are components of Low Impact Development (LID). They are designed to capture stormwater runoff as close to the source as possible and allow it to slowly infiltrate into the surrounding soil. They benefit natural resources by filtering pollutants and decreasing downstream runoff volumes.

We recommend conducting any in-stream activities during low or no-flow conditions, using non-erodible cofferdams to isolate the construction area, blocking no more than 50% of the streamflow at any given time, stockpiling excavated material in a manner that prevents reentry into the stream, restoring original streambed and streambank contours, revegetating barren areas with native vegetation, and implementing strict erosion and sediment control measures. Due to future maintenance costs associated with culverts, and the loss of riparian and aquatic habitat, we prefer stream crossings to be constructed via clear-span bridges. However, if this is not possible, we recommend countersinking any culverts below the streambed at least 6 inches, or the use of bottomless culverts, to allow passage of aquatic organisms. We also recommend the installation of floodplain culverts to carry bankfull discharges.

Please contact me if I can be of further assistance.

Amy Martin  
[amy.martin@dgif.virginia.gov](mailto:amy.martin@dgif.virginia.gov)

Virginia Department of Game and Inland Fisheries  
Environmental Services Section  
804-367-6913



7604  
FILE

November 22, 2006

Department of Game and Inland Fisheries  
Attn: Susan H. Watson  
4010 West Broad Street  
P.O. Box 11104  
Richmond, Virginia 23230

RE: Oakmoore Subdivision; Poquoson, Virginia  
ESG Project Number: 7604  
ESSLOG # 22286

Dear Ms. Watson:

This letter is in regards to the threatened and endangered species correspondence ESG received from you concerning the Kemp's Ridley sea turtle and the Loggerhead sea turtle. The proposed Oakmoore subdivision is not expected to have an impact to any habitat that is considered suitable for these species. From our limited research, these species prefer to inhabit shallow coastal waters and nest on adjacent beaches. The area proposed for the subdivision is completely surrounded by major roadways and other developed areas in Poquoson and the associated wetlands on the property are designated as palustrine forested. Therefore, ESG feels that there will be no adverse impact to either of these species of sea turtles.

If you should have any questions or concerns or need any additional information, please feel free to contact me at 757-599-7501.

Sincerely,

Approved by:

Megan Brown  
Environmental Scientist

Julie C. Steele  
President

Cc: Eric Davis: USFWS  
Charles Wornom  
Brinda Hall

c:\7604-rec-r71



7604  
RECEIVED  
BY \_\_\_\_\_ DATE 11/16/06

## COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.  
Secretary of Natural Resources

Department of Game and Inland Fisheries

J. Carlton Courter, III  
Director

November 13, 2006

Maria Mood-Brown  
Ecologist  
Environmental Specialties Group, Inc.  
11836 Fishing Point Drive, Suite 100  
Newport News, Virginia 23606-4507

RE: ESSLOG #22286, Oakmoore Subdivision, ESG Project Number: 7604, Poquoson, VA.

Dear Ms. Mood-Brown:

This letter is in response to your request for information related to the presence of threatened or endangered species in the vicinity of the above referenced project.

**The federal endangered/state endangered Kemp's (=Atlantic) Ridley sea turtle (*Lepidochelys kempii*) and the federal threatened/state threatened loggerhead sea turtle (*Caretta caretta*) have both been documented approximately 1.5 miles from this project area. Therefore, the applicant should coordinate with the VDGIF Environmental Services Section (804-367-6913) and with the U.S. Fish and Wildlife Service concerning potential impacts to these species. Contact information for the U.S. Fish and Wildlife Service is as follows: Eric Davis, 6669 Short Lane; Gloucester, VA 23061, (804) 693-6694 ext. 104 (phone), and (804) 693-9032 (fax).**

Additionally, the following *state special concern* species have been documented approximately 1 to 1.75 miles from this project area: yellow-crowned night-heron (*Nyctanassa violacea*) and Forster's tern (*Sterna forsteri*). As well, a block survey of an area encompassing this project site documented the *state special concern* great egret (*Ardea alba*) during the breeding season. However, the classification of *state special concern* is not a legal designation and does not require further coordination. In addition, please note that this project area is within 2 miles of Langley Air Force Base, which is a U.S. Air Force property.

Information about fish and wildlife species was generated from our agency's computerized Fish and Wildlife Information System, which describes animals that are known or may occur in a particular geographic area. Field surveys may be necessary to determine the presence or absence of some of these species on or near the proposed area. Also, additional sensitive animal species may be present, but their presence has not been documented in our information system.

Endangered plants and insects are under the jurisdiction of the Virginia Department of Agriculture



Maria Mood-Brown

ESSLog #22286

11/13/2006

Page 2

and Consumer Services, Bureau of Plant Protection. Questions concerning sensitive plant and insect species occurring at the project site should be directed to Keith Tignor at (804) 786-3515.

The Virginia Department of Conservation and Recreation, Natural Heritage Program, maintains a database of natural heritage resources, including the habitat of rare, threatened, or endangered plant and animal species, unique exemplary natural communities, and significant geologic formations, that may contain information not documented in this letter. Their database may be accessed from <http://www.dcr.state.va.us/dnh/nhrinfo.htm>, or by contacting S. Rene Hypes at (804) 371-2708.

This letter summarizes the likelihood of the occurrence of endangered or threatened animal species at the project site. If you have more questions in this regard, please contact me at (804) 367-1185.

There is a processing charge of \$25.00 for our response. Please remit a check, made payable to **TREASURER OF VIRGINIA**, within 30 days. To insure proper credit to your account, please address your payment envelope directly to MaryBeth Murr at the address listed in the letterhead.

Please note that this response does not constitute consultation or management recommendations regarding endangered or threatened wildlife, or any other environmental concerns. These issues are analyzed by our Environmental Services Section, in conjunction with interagency review of applications for state and federal permits. If you have any questions in this regard, please contact the Environmental Services Section at (804) 367-6913.

*Please note that the data used to develop this response are continually updated. Therefore, if significant changes are made to your project or if the project has not begun within 6 months of receiving this letter, then the applicant should request a new review of our data.*

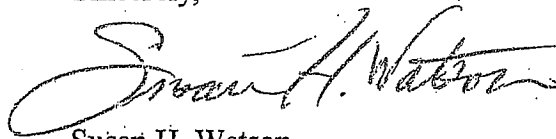
For your reference, if you do not receive a response from our office within 30 days, this does not constitute a finding of "no adverse impact" to wildlife or wildlife resources. If you need an expedited response to your request, please call Shirl Dressler at (804) 367-6913.

The Fish and Wildlife Information Service, the system of databases used to provide the information in this letter, can now be accessed via the Internet! The Service currently provides access to current and comprehensive information about all of Virginia's fish and wildlife resources, including those listed as threatened, endangered, or special concern; colonial birds; waterfowl; trout streams; and all wildlife. Users can choose a geographic location and generate a report of species known or likely to occur around that point. From our main web page, at [www.dgif.virginia.gov](http://www.dgif.virginia.gov), choose the hyperlink near the top of the page titled "Virginia Fish and Wildlife Information Service". For more information about the service, please contact Shirl Dressler at (804) 367-6913.

Maria Mood-Brown  
ESSLog #22286  
11/13/2006  
Page 3

Thank you for your interest in the wildlife resources of Virginia.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan H. Watson". The signature is fluid and elegant, with a large initial "S" and a long, sweeping underline.

Susan H. Watson  
Research Specialist Senior

cc: R.T. Fernald, VDGIF  
E. Davis, USFWS  
R. Hypes, VDCR-NH



FILE

April 13, 2006

Virginia Department of Game and Inland Fisheries  
4010 West Broad Street  
P. O. Box 11104  
Richmond, Virginia 23230-1104

RE: Oakmoore Subdivision, Poquoson, Virginia  
ESG Project Number: 7604

Dear Sir or Madam:

Please accept this letter as a request for your office to review the above referenced site information to determine if any wildlife or plants, that are eligible for listing, or are listed on both the Federal and State Endangered and/or Threatened Species List, could be expected to be found on the project site.

The project is the construction of a proposed subdivision that will include roads, a BMP pond, and utilities. The 65.25-acre site is located off of Yorktown Road, Route 782 in Poquoson, Virginia. Please see the enclosed vicinity map for a more specific site location.

Your prompt attention to this matter is appreciated. Please send your comments to the address listed below.

Environmental Specialties Group, Inc.  
11836 Fishing Point Drive  
Suite 100  
Newport News, Virginia 23606

If you have any questions, or require additional information, please do not hesitate to contact me at (757) 599-7501. We appreciate your attention to this matter and look forward to your response.

Sincerely,

*Maria Mood-Brown*

Maria-Mood Brown  
Ecologist

Enclosure (1)

L. Preston Bryant, Jr.  
Secretary of Natural Resources



Joseph H. Maroon  
Director

**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

217 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-7951 FAX (804) 371-2674

April 15, 2008

Megan Brown  
Environmental Specialties Group, Inc  
11836 Fishing Point Dr., Suite 100  
Newport News, VA 23606

Re: ESG #7604 Oakmoore Subdivision

Dear Ms. Brown:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Biotics historically documents the presence of natural heritage resources in the project vicinity. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.


A fee of \$90.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 203 Governor Street, Suite 423D, Richmond, VA 23219, ATTN: Cashier. Payment is due within thirty days of the invoice date. Please note late payment may result in the suspension of project review service for future projects.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, which may

contain information not documented in this letter. Their database may be accessed from [http://www.dgif.virginia.gov/wildlife/info\\_map/index.html](http://www.dgif.virginia.gov/wildlife/info_map/index.html) , or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at (804) 692-0984. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristal McKelvey". The signature is written in a cursive, flowing style.

Kristal McKelvey  
Coastal Zone Locality Liaison



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

WebID: W633426486973437500

Client Project Number: 7604

### *PROJECT INFORMATION*

TITLE: Oakmoore Subdivision

DESCRIPTION: Proposed Subdivision

EXISTING SITE CONDITIONS: Forested

QUADRANGLES: POQUOSON WEST

COUNTIES: City of Poquoson

Latitude/Longitude (DMS): 370804/762404

Acreage: 65

Comments: Project Area includes an off-site ditch directly across Yorktown Rd. that will be improved with the proposed subdivision.

### *REQUESTOR INFORMATION*

Priority: No Tier Level: 1 Tax ID: 54-1787671

Contact Name: Megan Brown

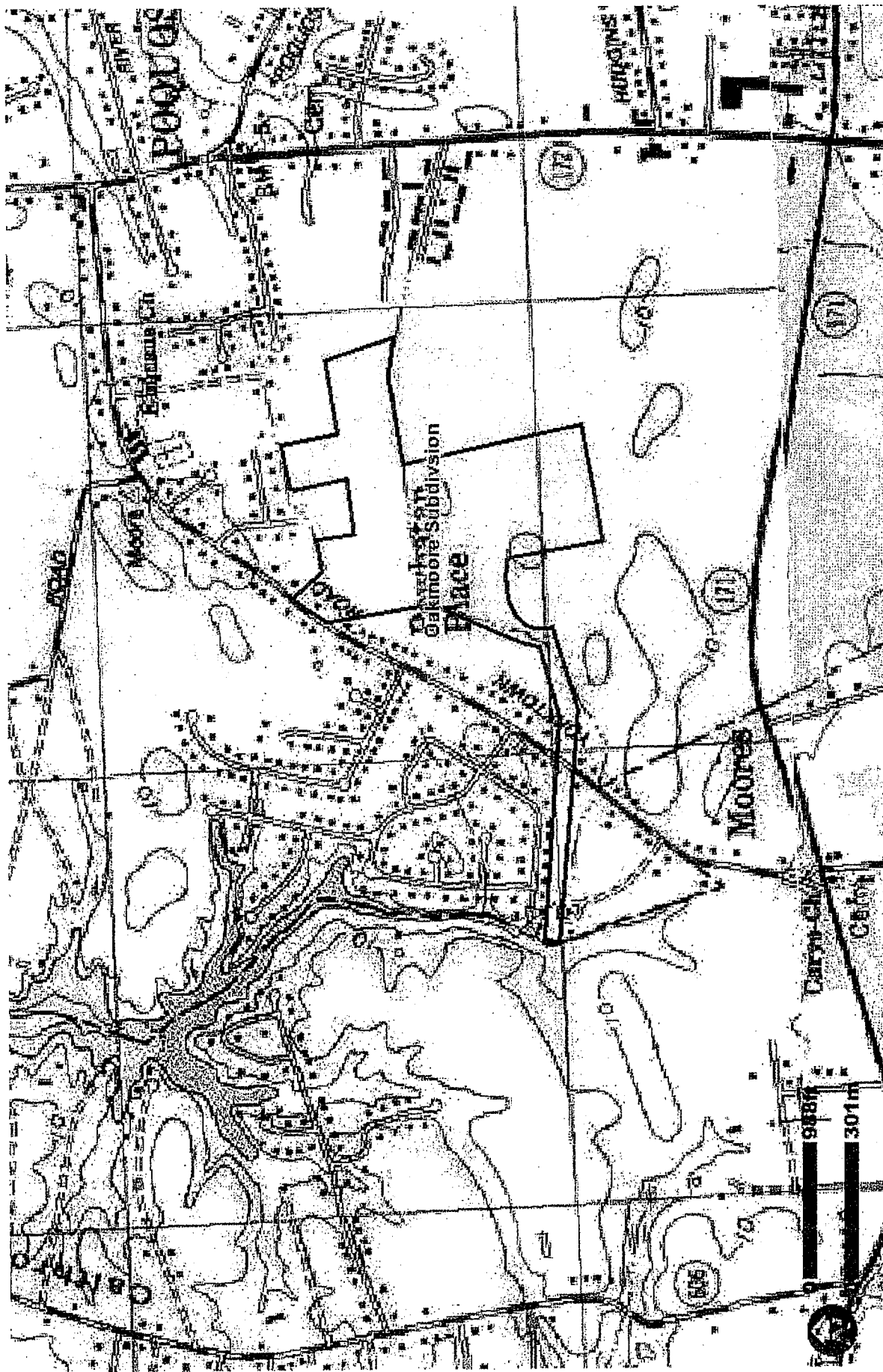
Company Name: Environmental Specialties Group, Inc

Address: 11836 Fishing Point Dr., Ste 100

City: Newport News State: VA Zip: 23606

Phone: 757-599-7501 Fax: 757-599-7509 Email: mbrown@envspgroup.com

Conservation Site Name	Site Type	Brank	Acreage	Listed Species Presence
GLNHR	GLNHR			SL
GLNHR	GLNHR			NL
GLNHR	GLNHR			NL
Natural Heritage Conservation Sites Within Seaboard Fault				



Quads: POQUOSON WEST

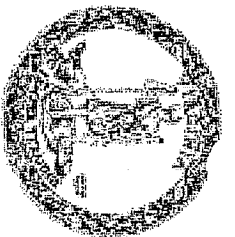
Countries: City of Poquoson

# Oakmoore Subdivision

Company: Environmental  
Specialties Group, Inc  
Lat/Long: 370804/762404



L. Preston Bryant, Jr.  
Secretary of Natural Resources



Joseph H. Maroon  
Director

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF CONSERVATION AND RECREATION

The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources from the area indicated for this project. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in Biotics files, NATURAL HERITAGE RESOURCES HAVE BEEN DOCUMENTED within two miles of the indicated project boundaries.

You have submitted this project to DCR for a more detailed review for potential impacts to natural heritage resources. DCR will review the submitted project to identify the specific natural heritage resources in the vicinity of the proposed project. Using the expertise of our biologists, DCR will evaluate whether your specific project is likely to impact these resources, and if so how. DCR's response will indicate whether any negative impacts are likely and, if so, make recommendations to avoid, minimize and/or mitigate these impacts. If the potential negative impacts are to species that are state- or federally-listed as threatened or endangered, DCR will also recommend coordination with the appropriate regulatory agencies: the Virginia Department of Game and Inland Fisheries for state-listed animals, the Virginia Department of Agriculture and Consumer Services for state-listed plants and insects, and the United States Fish and Wildlife Service for federally listed plants and animals. If your project is expected to have positive impacts we will report those to you with recommendations for enhancing these benefits.

**There will be a charge for this service: \$90, plus an additional charge of \$35 for 1-5 occurrences and \$60 for 6 or more occurrences.**

Please allow up to 30 days for a response, unless you requested a priority response (in 5 business days) at an additional surcharge of \$300. An invoice will be provided with your response.

We will review the project based on the information you included in the Project Info submittal form, which is included in the report that follows. Often additional information can help us make a more accurate and detailed assessment of a project's potential impacts to natural heritage resources. If you have additional information that you believe will help us better assess your project's potential impacts, you may send that information to us. Please refer to the project Title (from the first page of this report) and include this pdf file with any additional information you send us.

Thank you for submitting your project for review to the Virginia Natural Heritage Program through the NH Data Explorer. Should you have any questions or concerns about DCR, the Data Explorer, or this report, please contact the Natural Heritage Project Review Unit at 804-371-2708.

L. Preston Bryant, Jr.  
Secretary of Natural Resources



*7604*  
**RECEIVED**  
BY *5/22/06*

Joseph H. Maroon  
Director

**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

217 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-7951 FAX (804) 371-2674

May 17, 2006

Maria Mood-Brown  
Environmental Specialties Group, Inc.  
11836 Fishing Point Drive, Suite 100  
Newport News, VA 23606

Re: #7604, Oakmoore Subdivision-Poquoson

Dear Ms. Mood-Brown:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, natural heritage resources have not been documented in the project area. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Under a Memorandum of Agreement, DCR represents the Virginia Department of Agriculture and Consumer Services (VDACS) in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

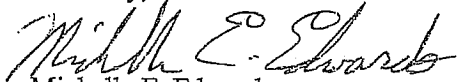
New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$60.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 203 Governor Street, Suite 414, Richmond, VA 23219, ATTN: Cashier. Payment is due within thirty days of the invoice date.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in this letter. Their database may be accessed from [http://www.dgif.virginia.gov/wildlife/info\\_map/index.html](http://www.dgif.virginia.gov/wildlife/info_map/index.html) , or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-692-0984. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in cursive script, reading "Michelle E. Edwards". The signature is written in dark ink and is positioned above the printed name.

Michelle E. Edwards

Locality Liaison